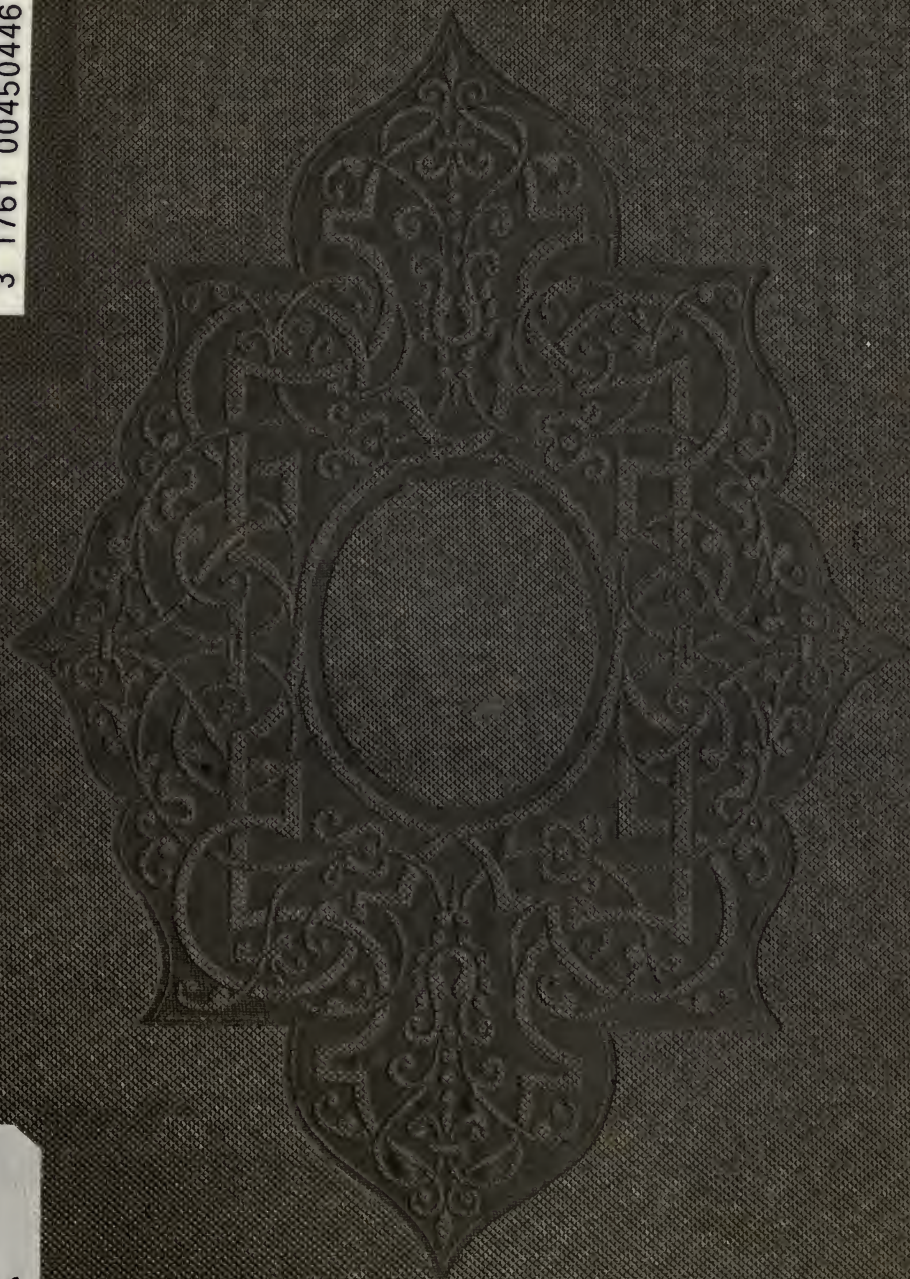


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Camden Society. V. 75-

ORIGINAL PAPERS
ILLUSTRATIVE OF
THE LIFE AND WRITINGS
OF
JOHN MILTON,

INCLUDING SIXTEEN LETTERS OF STATE WRITTEN BY HIM,
NOW FIRST PUBLISHED FROM MSS. IN THE STATE PAPER OFFICE.

WITH
AN APPENDIX OF DOCUMENTS
RELATING TO HIS CONNECTION WITH THE POWELL FAMILY.

COLLECTED AND EDITED, WITH THE PERMISSION OF THE MASTER OF THE ROLLS,
BY W. DOUGLAS HAMILTON,
OF H.M. STATE PAPER OFFICE, AND UNIVERSITY COLLEGE, LONDON,
AUTHOR OF "OUTLINES OF THE CONSTITUTIONAL HISTORY OF ENGLAND," &c.



PRINTED FOR THE CAMDEN SOCIETY.

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P R E F A C E.

THE following documents, now published for the first time, from the originals in the State Paper Office, will be found to contain much new information, illustrative both of the public and private history of Milton; while, in particular, the *sixteen* Letters of State, never before printed, are absolutely requisite to complete that noble series of Diplomatic Correspondence which the Secretary for Foreign Tongues to the Commonwealth has left, at once as a monument of his political genius, and of the elegance of his classical acquirements.

In addition to the papers comprised in the body of this work, there are a number which it was found requisite to throw into an Appendix, for, although many of these are invaluable to the biography of the poet, yet, on account of their length and legal phraseology, it was found impossible to embody them in a readable narrative; reference has, however, been made to these docu-

ments in support of many important points, and the reader, by observing the references, may bring together the papers relating to each suit, if he feel so inclined, although a chronological arrangement has been adopted as the one more convenient for general use. It may be as well to observe, that some few of these documents have before been printed by Todd in his Account of the Life and Writings of Milton, and in every such case I have given the reference to his volume as well as to the MSS. He, however, was only acquainted with a tithe of the materials here collected, so that his conclusions were not always correct. The Council of the Camden Society have, therefore, agreed with me in the propriety of including these, in order that the series may be complete.

W. DOUGLAS HAMILTON.

East End, Finchley,
24 Oct. 1859.

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PAPERS RELATING TO MILTON

IN THE

STATE PAPER OFFICE.

IN the year 1823 a MS. packet was discovered by the late Robert Lemon, Esq. Deputy Keeper of State Papers, in one of the presses of the old State Paper Office in the Middle Treasury Gallery, Whitehall, which on examination was found to contain the long-lost treatise of Milton, *De Doctrinâ Christianâ*. This treatise was edited in 1825 by Dr. Sumner, now Bishop of Winchester, at the command of King George IV. The same packet contained likewise a correct copy of the *Dispatches*, written by the poet during the time he held the office of Secretary for Foreign Tongues under the Commonwealth, in the handwriting of Daniel Skinner, to whom Milton is known to have entrusted several of his MSS.* and who is confounded by Wood and Toland with Cyriack Skinner, to whom Milton addressed the sixteenth of his beautiful sonnets.

Several editions of Milton's prose works have appeared since the date of the above discovery, but it does not seem to have occurred to any of the editors to collate with these authentic copies the defective transcripts, surreptitiously obtained, and first published in the year 1676.† They have consequently omitted to discover that this collection comprised a number of important dispatches not contained in the printed editions. It is to these elegant examples of

* Aubrey, *Life of Milton*.

† Under the title "*Literæ Pseudo-Senatus Anglicani, Cromwellii, Reliquorumque Perduellium, nomine ac jussu conscriptæ à Joanne Miltono. Impressæ anno 1676.*" In his preface the anonymous publisher excuses himself for so rash an act by saying he had long been in doubt whether he should consign these papers to the flames or to the press,

diplomatic correspondence that our acquaintance with Milton in his official capacity is mainly due, and therefore any accessions to their number are of interest and importance. To Milton in a great measure was owing the success of the foreign policy of the Commonwealth, which raised England to a pitch of greatness in the councils of Europe which she had not held since the days of the Tudors.

It was he who penned the dispatch which made the Duke of Savoy tremble, and restored peace to the persecuted Protestants of the Alpine valleys:

E'en them who kept thy truth so pure of old,
When all our fathers worshipped stocks and stones.

Intimately connected with the dispatch to the Duke of Savoy is the letter addressed to Louis XIV. rebuking him in the severest manner for having suffered his troops, though indirectly, to participate in the barbarous massacre of the Vaudois, and appealing to his self-interest and the policy of the wisest of his ancestors as motives for withdrawing his countenance from such deeds of horror.

LUDOVICO GALLIÆ REGI.

Serenissime Rex,*

Perlati ad nos gemitus miserrimorum hominum Lusernam, Angro-niam, nec non alias in ditione Ducis Sabaudiaë valles incolentium, et reformatam religionem profitentium, quorum factæ cædes cruentissimæ nuper sunt, deque cæterorum direptione atque exilio tristissimi crebrò nuntii has ad majestatem vestram literas à nobis expresserunt; præsertim cùm nunciatum quoque nobis sit (quàm verè nondum satis cognovimus) partim à cohortibus quibusdam vestris, quæ cum aliis Allobrogum † Ducis copiis se conjunxerant, stragem hanc esse editam. Quod tamen haud temerè crediderimus, cùm neque bo-

“Cum primum ad manus nostras hæ chartæ pervenerunt dubitavi diu utrum illas prælo potius, aut flammis, committerem.”

* Several emendations have been supplied from the official copy of this letter, preserved in the State Paper Office, Foreign Corresp. Savoy.

† The classic name for the people of Savoy, Dauphiné and Vivarais.

norum principum, nec prudentissimorum majestatis vestræ majorum institutis consentaneum esse videatur; qui et suâ in primis interesse, et ad pacem regni sui, reique totius Christianæ quàm maximè conducere arbitrati sunt, uti subditos suos eam religionem colentes sub imperio suo ac patrocínio inviolatos atque incolumes esse sinerent, quâ illi clementiâ regum suorum permoti præclaram sæpe operam et pace et bello suis regibus navarunt. Quòd idem Allobrogum quoque ducibus persuasit, uti subjectos sibi Alpinarum vallium incolas eâdem benignitate tractarent, qui et vicissim sui principis ad obsequium promptissimi, neque vitæ neque fortunis propriis unquam pepercere. Nobis autem dubium non est quin majestati vestræ ea necessitudo cum Sabaudia duce intercedat, eaque autoritas apud eum sit, ut intercessione vestrâ ac propensæ voluntatis significatione pax istis miseris, reditusque in patriam, et libertas pristina impetrari facillimè possit. Quod factum et majestate vestrâ dignum erit, et à prudentiâ atque exemplo serenissimorum majorum vestrorum non alienum: neque solùm animos vestrorum subditorum ne quid sibi unquam ejusmodi metuant, magnoperè confirmaverit, sed fœderatos etiam vestros atque socios, qui eandem religionem sequuntur, observantiâ longè majore ac benevolentia majestati vestræ devinxerit. Ad nos quod attinet, quicquid in hoc genere vel vestris concedetur, vel aliorum subditis vestrâ causâ impetrabitur, id nobis non minùs gratum, imò gratius profectò et antiquius erit emolumento quovis alio atque commodo, ex iis quæ ab amicitia majestatis vestræ haud pauca nobis pollicemur. Dabantur ex aulâ nostrâ Westmonasterii, 25^{to} Maii, 1655.

The next document in this collection is a letter to the same King, dated in the following January. It demands satisfaction for the breach of the recent treaty by the Governor of Belleisle, who had apparently lent aid to the pirate Dillon. This, although not of the same general interest as the preceding, is nevertheless deserving of a careful perusal, as a specimen of the fearless, straightforward manner in which the Protector conducted his foreign negotiations.

LUDOVICO GALLIÆ REGI.

Cum ea jam eluceat in majestate vestrâ fides atque integritas principe summo digna, quæ tam exteris quàm vestris civibus justitiæ fructus uberrimos non promittat solùm, sed etiam nunc ferat, id usque cò ignorasse Bellæ-insulæ præsidem,* ut pacis fœdus paulo ante sancitum et promulgatum † inter ipsa initia, quæ vel pessimo cuique sancta esse solent, tam apertè violare ausus sit perquàm sanè miror.

Ab Roberto enim Vessio navis Lusciniæ, ‡ quæ ex præsidariis hujus Reipublicæ navibus una est, præfecto delatum nobis est Bellæ-insulæ præsidem, quinto decimo Decembris, aliàs etiam recentius Dillonium quendam piratam, hujus Reipublicæ perduellem, non solum portu accepisse, rebusque omnibus juvisse, verùm etiam navem quandam mercatoriam Kinsalensem ab eo captam contra Vessium defendisse, imò ipsam Dillonii prædatoriam navem navali pugnâ fugatam nostrorum ex manibus eripuisse, quam alioqui vel cœpisset procul dubio vel depressisset. Hæc contra fœdus recens initum, cùm Præses ille committere nullo modo possit, quin majestatem quoque vestram pariter atque nos lædat arbitramur hac in re nihil esse quod à vobis postulemus potiùs quàm expectemus, sive in illum Præsidem animadverti, sive nobis satisfieri velimus. Quod enim jus nostrum, id idem fides vestra fœderisque religio à vobismet ipsis æquè flagitat.

West. Jan. 1655-6.

The third, in the form of Letters Patent granted to the German divine Peter George Romswinkel, is a good example of the early passports, which were not, like their modern substitutes, mere permissions to enter the territories of friendly states, but letters of recommendation authorising the bearer to travel without molestation

* Governor of Belleisle-en-Mer, a small island of France, in the Bay of Biscay, on the south coast of Brittany; before the Revolution it had a separate governor, but now forms, with the adjoining islets of Houat and Hoëdic, a canton in the department of Morbihan.

† This alludes to the Treaty of Westminster, concluded on the 3 Nov. 1655. (*Traité de Paix*, ii. p. 681.)

‡ The ship "Nightingale."

through the dominions of the government by which they were granted, and to quit its ports in safety; for at that time no one could leave the shores, even of England, without permission. The value of the passport had reference rather to the departure of the traveller from his own country than to his landing abroad, although, as it generally expressed his position in society, and the object of his journey, it was often found of service at foreign courts, and sometimes, as in this instance, recommended the bearer to the good offices of friendly powers.

OLIVERIUS PROTECTOR REIP. ANGLIÆ, &c. cunctis Regibus, Rebus Publicis, Principibus ac Civitatibus nobiscum fœderatis, nec non aliis quibuscunque Protestantium religionem profitentibus, ad quos hæ nostræ literæ pervenerint, S. D.

Cum de religione id ferè plerique sentiant atque in eo facilè acquiescant, quod à majoribus acceperunt, non quod ipsi, imploratâ ope divinâ, proprio studio ac labore perceptum atque cognitum verum esse didicerunt; eò magis collaudandum omnique Christianâ charitate amplectendum, duximus harum literarum exhibitorum dilectum nobis Petrum Georgium Romswinckel utriusque juris doctorem; qui in superstitione pontificiâ natus atque innutritus et in eâ honores amplos atque commoda adeptus (erat enim nuper protonotarius apostolicus, archiepiscopalis curiæ Coloniensis assessor et commissarius, ac canonicus liber S. Andreæ in Colonia, et ad majora destinatus,) tamen quod amplissimo testimonio confirmatum nobis est, divinæ veritatis amore ductus, Deo aspirante, cùm ad indagandam Christianæ religionis rationem totâ mente incubisset, non superstitione solum papali, verum etiam commodis atque honoribus, quibus in eâ fruebatur, amplissimis relictis, orthodoxam fidem et puriorem Dei cultum cum incerto exilio longè præposuit. Is quo ab insidiis tutior atque à contumeliis remotior pontificiorum esse posset, ratus hanc rempublicam, id quod nos existimari maximè volumus, oppressis ubicunque indignâ servitute Christianorum con-

scientiis asylum atque perfugium esse certissimum ac liberrimum, in Angliam se recepit.* Nunc à serenissimâ Principe ac Dominâ defuncti Ducis in Symmeren viduâ ad munus consiliarii accersitus in Germaniam revertitur; quanquam si apud nos manere vel reverti ad nos maluerit inire aliquam rationem quibus ipsi provisum esse possit, non gravabimur. Nostris itaque ducibus, præfectis, ministris ac portuum curatoribus, navarchis item et classiariis nostris præcipimus, ut hunc Doctorem Petrum Georgium sine ullâ molestiâ aut sarcinarum suarum perscrutatione immunem ac liberum terrâ marique commeari sinant; legatis itidem nostris, prolegatis et ministris publicis, ubicunque gentium commorantibus, significatum atque præceptum idem volumus, uti eum, quibus rebus possint, adjuvent, eique patrocinentur. Omnes denique reges, respublikas, principes ac civitates nobis confœderatas magnoperè rogamus, ut eidem modis omnibus favere, subvenire, suumque patrocinium impertiri velint: id quod ipsos, pro suo erga religionem reformatam, ejusque cultores nobisque dilectos, pio studio, etiam non rogatos, libentissimè facturos esse facilè nobis persuademus; adeoque hasce literas ad earum fidem plenius faciendam, signo nostro obsignavimus.

The fourth is a letter from the Protector to Charles X. of Sweden recommending the above named Romswinkel to his particular regard, and bearing proof of the intimacy between these two great supporters of the Protestant cause.

CAROLO GUSTAVO SUECORUM REGI.

Tametsi patentes literas nostras huic dilecto nobis Petro Georgio Romswinkel utriusque juris doctore, &c. ad omnes generatim Reges, Respublicas, Principes ac Potestates nobiscum fœderatas dedimus, quarum præsidio, terrâ marique, tutò ac liberè commeari possit, tamen, ne quid ei a nobis vel patrocinii vel gratiæ defuisse videatur,

* It had long been the aim of the English government to render this country the securest refuge for religious and political refugees, who, it had been found, brought with them a knowledge of the arts and manufactures of their native lands.

qui relictâ superstitione pontificiâ ad puriorem religionis cultum se receperit, his insuper singulatim datis ad majestatem vestram literis amplius muniendum eum atque ornandum censuimus. Eique porrò, si id petierit, uti facilem præbere aditum, auresque benignas, opportuno etiam auxilio atque præsidio esse velitis, rogamus. Si quid acciderit, in quo vobis pariter grati ecclesiæque utiles esse poterimus, ne ullam in nobis vel voluntatem vel officium desideratura sit majestas vestra, perficiemus.

West. Junii, 1656.

The next is a congratulatory letter to the King of France upon the surrender of Dunkirk, and renews the ancient friendship of the two countries, which the ultramontaine policy of Louis XIV. in the matter of the Vaudois had much estranged.

LUDOVICO GALLIÆ REGI.

Dunkirkam* dedidisse se majestati vestræ, eamque jussu vestro potestatis nostræ statim esse factam, † jam antè famâ acceperamus. Quam autem libenti atque læto animo fecerit majestas vestra, ut suam erga me benevolentiam hâc in re testaretur, id literæ imprimis Regiæ, et cui ex iis literis fidem omnem habeo, palatii vestri magister ordinarius abundè mihi confirmavit; novamque attulit cùm lætitiæ tum amicitiae quoque vestræ erga me inde perspectæ voluptatem. Ad hoc testimonium tametsi apud me nihil potest autoritatis accedere, scribit tamen eadem pro officio suo noster apud vos legatus, vestræque erga me voluntati firmissimæ nihil non tribuit. Majestas proinde vestra vicissim sibi persuadeat, nullum nostrâ ex parte neque studium defore neque integritatem, ad reliqua omnia quæ convenerunt eâdem fide ac diligentia præstando atque hactenùs præstitinus. De cætero, prosperos rerum successus et Bergam

* After the Restoration Dunkirk was sold by Charles II. in 1662 to France for 5,000,000 florins, when it was made by Louis XIV. one of the strongest places in Europe. It was subsequently stipulated by the peace of Utrecht that all the fortifications should be demolished and the harbour filled up, and so it continued till after the peace of 1783, when the harbour was again cleared and the fortifications repaired.

† See Articles of Surrender; Traitez de Paix, iii. p. 735.

proximè captam majestati vestræ gratulor; talesque gratulationem vices ut quam sæpissimè inter nos recurrunt, Deus Optimus Maximus faxit.

West. Junii, 1658.

Then follows a letter to Cardinal Mazarin, at the instance of whom Louis XIV. surrendered Dunkirk to the English in order to detach Cromwell from the alliance with Spain.*

CARDINALI MAZARINO.

Redditæ nobis unà cum regis literis per magistrum palatii ordinarium vestræ literæ de captâ urbe Dunkirkâ, nobisque traditâ, gratulatoriæ, non solum gratissimæ fuere, lætitiæque nostram reddidere cumulatiorem, verùm etiam singulares gratias eminentiæ vestræ imprimis referendas à nobis meruere; cujus consilium atque autoritas cum summo erga me studio conjuncta ipsa mihi præbuit materiam gratulationis suæ, hæc enim omnia quantâ cum fide ac benevolentia summæ significatione à vobis peracta sint, quanquam eminentiâ vestrâ hoc confirmante ita mihi satisfactum est, ut nihil ampliùs desiderem, tamen legatus apud regem noster† accuratè ad me singula scribendo nihil prætermisit, quo aut me facere certiore, aut vestræ de se respondere opinioni possit. Ad mea promissa quod attinet, cùm pactâ fide servandâ nihil mihi sanctius aut antiquius sit, dabo operam ut intelligat eminentia vestra, si quid suæ existimationis in meâ fide repositum esse putat, non pœnitendum habere se pignus, quo confidat eandem mihi curam fore fidei meæ et existimationis suæ. Illa sanctissimè servata, id quod in me quantum est recipio ac spondeo, cum viderint omnes rem Gallicam conjunctione nostrâ non imminutam sed amplificatam atque auctam, spero futuram et penè auguror, etiamsi invidiam virtutis ac dignitatis suæ comitem eminentia vestra extinguere non poterit, et calumnias tamen omnes facile comprimat, fructusque uberrimos consiliorum suorum nobiscum initorum percipiat.

West. Junii, 1658.

* *Traitez de Paix*, iii. p. 709; and *Biographie Universelle*, art. Mazarin.

† Sir William Lochart, councillor of Scotland, sent ambassador to Louis XIV. in 1658.

After this act of courtesy on the part of the French government, Cromwell took occasion to despatch to the court of Versailles Sir William Lockart, in order to cement more closely the alliance of the two countries. His credentials follow, as also a letter to Cardinal Mazarin, who is complimented on the success of his foreign policy, and the prosperity of the country under his administration.

LUDOVICO GALLIÆ REGI.

Gulielmus Lockartus, cui has literas ad majestatem vestram dedimus perferendas, est natione Scotus, domi nobilis, nobis dilectus, summâque fide, virtute, ac morum integritate notus. Is ut in Galliâ commoretur, sitque apud vos, qui et singularem meam erga vestram majestatem observantiam, nec solum pacis conservandæ sed amicitiae quoque perpetuandæ studium significare vobis assiduè possit, amplissimis instructus mandatis à nobis est. Eum itaque et benignè accipere et, quoties opus erit, placidè audire, quæque nostro nomine ab eo dicta erunt et confirmata, iis eandem prorsus fidem habere velitis, ac si à nobismet ipsis coram dicta et confirmata essent, rogamus; ea enim nos rata omnia sumus habituri; interim majestati regnoque vestro pacata atque prospera omnia precamur.

West. Aug. 1658.

CARDINALI MAZARINO.

Cùm videam vestris consiliis felicissimè administrari rem Gallicam, et usque eo indies augeri, ut vestra inde summa gratia, summaque in rebus gerendis auctoritas meritò augescat simul et amplificetur, quem cum literis atque mandatis ad Regem legavi, eundem etiam vestrae eminentiæ quàm maximè commendandum esse duxi, Gulielmum Lockartum, virum domi nobilem, nobis et conjunctissimum et singulari fide spectatum. Quapropter et ea quæ ab ipso communicata nostro nomine vobis erunt pro nostris habere, et ea quæ vos vicissim communicanda censebitis, recte ipsi committere atque credere meâ fide eminentia vestra poterit; simul et hoc ampliùs ex eodem cognoscere, quod et nunc et jam sæpiùs profiteor, de vestris

maximis in Galliam meritis quàm præclarè sentiam, vestræque laudi ac dignitati quantoperè faveam.

West. Aug. 1658.*

The following letter shews the laudable efforts made by the Commonwealth Government to suppress the Algerine and Sallee pirates, who in the early part of the seventeenth century infested all the seas of Europe, and frequently landed on the coasts of England, burned the unprotected villages, and carried off the inhabitants into perpetual servitude beneath the scorching sun of Africa. This was one of the many causes which provoked the civil war in the reign of Charles I.

PHILIPPO HISPANIARUM REGI.

Cùm non ita pridem post recuperatam libertatem et restitutam divinis auspiciis Anglorum Rempublicam à summis totius gentis Ordinibus decretum in Parlamento, necnon edicto edito promulgatum sit velle atque admodum cupere populum Anglicanum, et quod ad se attinet, operam daturum, ut quæ sibi amicitia cum exteris quibuscunque nationibus, vel antiquius vel recens intercedit, sarta tecta conservetur, aut etiam, redintegrato, si opus esset, fœdere renovetur; cùmque summa eadem Parlamenti autoritas ad reprimendos toto jam infestos mari piratas, imò ad communem omnium qui mare navigant utilitatem, classem jam alteram parandam decreverit, eique illustrissimum virum dominum Odoardum Poppamum præesse jusserit, hâc de re certiore facere majestatem vestram, pro eo quò Anglorum genti cum Hispanis assiduus propter negotia usus et amicitia est, summi ordines par et æquum censuerunt, haud dubitantes si classis hæc, aut ejus ex numero navis fortè aliqua in quælibet regni vestri loca, vel vi tempestatis delata fuerit, vel ad naves reficiendas, aut ad commeatum, et si qua alia ejus generis

* This note is subjoined by Daniel Skinner: "Ne imprimantur hæ quinque lineæ, ostendunt enim tantum undecim sequentes literas esse suo ordine inserendas."

"Sequentes undecim literæ quæ Parlamenti nomine conscriptæ sunt, quia tempus quo dabantur subscriptum non habent, inserendæ sunt ad finem libri primi, post illas quæ scriptionis tempus conscriptum habent, cæque serie quam numerus demonstrat."

classi opus sunt, supplendum atque justo pretio comparandum ultrò appulerit, quin majestas vestra per omnes ditiones Hispaniæ portus tutò ac liberè sive appellendi, sive sublati anchoris abeundi, sive ad tempus alicubi hærendi facultatem benignè concessura sit. De cætero quoniam Odoardus Poppamus classis hujus Anglicanæ præfectus, de his et hujusmodi rebus quæ ad amicitiam et utriusque gentis emolumentum spectant, mandata nostra plenissimè accepit; cum quem ille miserit uti benignè audiat majestas vestra, eique ut omnibus modis humaniter faveat, fidemque habeat rogamus.

Westmonasterio.

The remaining five letters are addressed respectively to the Duke of Savoy, the Grand Duke of Tuscany, John IV. King of Portugal, and Charles X. of Sweden, and demand restoration of the ships and goods of English merchants detained in their several dominions.

DUCI SABAUDIÆ.

Navis cujusdam Domini, cui nomen Bonavento* Londinensi, Henricus Martinus magister, apud nos conquesti sunt, eam navem variis mercimoniis onustam, quæ librarum viginti quinque millibus æstimata sunt, dum Genoam et Liburnum† versùs cursum teneret, ab nave Gallicâ, quæ quadraginta sex tormenta bellica virosque trecentos et quinquaginta portabat, diplomatis obtentu ab vestrà regali celsitudine concessi, captam fuisse, vestrumque in portum, quæ Villafranca vulgò dicitur, vi abductam, ibique retentam. Quæ facta, cùm amicitiae et solito prius usui, qui Angliæ vestris cum ditionibus intercessit, minimè convenient, justum ac necessarium esse duximus, eorum ob causam, quorum hoc interest, hujus Rei-publicæ cives cùm sint, vestram celsitudinem hac de re certiore facere; quâ in re uti suis quamprimum velit mandare, navis illa cum bonis omnibus ac mercibus sine ullâ ampliùs interpositâ morâ dictis Dominis reddatur, postulamus; utque illis damna etiam atque impensæ rependantur, quas inter hanc delationem fecerunt.

* The "Welcome" of London.

† Leghorn in Tuscany.

Cumque justissima hæc, necnon æquissima postulatio sit, haud dubitamus, quin celsitudo vestra regalis suum ei assensum libentissimè præbitura sit, sibi que persuadeat, si quâ ejusmodi suâ ex parte occasio fuerit, parem se æquitatem hujus Reipublicæ parem erga se benevolentiam esse experturum.

West.

FERDINANDO DUCI MAGNO HETRURIÆ.

Ostendunt nobis per supplicem libellum Joannes Dethicus ordinis apud nos equestris, Joannes Goldus, Joannes Limberius * aliique hinc mercatores se navem suam, cui nomen latinum Bona-recuperatio † Londinensis, mense Januario, 1654, ex initâ societate instruxisse, et mercibus onerasse, eique navì quendam nomine Joannem Marvinum præfecisse, uti cum eâ is in mari Mediterraneo mercaturam faceret; in quâ faciendâ illum satis uberi cum quæstu ex eo tempore ad hunc usque diem iis in locis esse versatum; verùm adduci hactenùs nullo modo posse aut negotiorum morum aut quæstus illius rationem ullam sociis mercatoribus reddat, sæpiùs licet appellatus; se valdè suspicari esse illi in animo, nave ac mercibus sociorum interversis, domum nunquam reverti; sibi autem esse exploratum atque compertum, illum intra duos menses ad portum Liburnensem, qui portus in vestrâ ditione est, esse appulsurum. Peto itaque à celsitudine vestrâ etiam atque etiam, ut pro suo justitiæ studio, nolit illum malæ fidei nauclerum in patrociniū suum recipere, neve quid mercatorum procuratoribus impedimento esse sinat, quominus possint et navem bonaque recuperare; et reddendam negotiorum rationem à præfecto navis exigere. Deus celsitudini vestræ fausta omnia concedat.

Westmonasterio, Apr. 19, 1659.

EIDEM.

Queritur apud nos Jacobus Modifordus mercator bona quædam sua ad portum Liburnensem navibus delata ab Umfredo Sidneio

* In 1626, June 8, there is a letter from the Commissioners of the Navy to Edw. Nicholas, secretary to the Duke of Buckingham, praying him to procure the duke's warrant for Mr. Limbery's present employment.

† The "Happy-Entrance" of London.

negotiatore etiam Anglo, Italogum quorundam operâ creditorum ejus, circa annum 1652, detenta in portu contra jus omne, sibique ablata esse, suumque illic procuratorem qui nihil non egit quo bona illa recuperare possit, nihil hactenûs proficere.

Cùm itaque et petitor et reus noster civis uterque sit, celsitudinem vestram rogo, bona illa summam per injuriam erepta justo domino restitui quamprimum jubeat, causamque totam nostrâ cognitioni velit remittere: ut si quid juris habeat Sidneius, possit si videbitur, nostro in foro cum populari suo apud nostros judices patriâ lege experiri; ubi æqua utrinque dimicatio futura est. Id nobis gratissimum celsitudo vestra fecerit; quam Deo Optimo Maximo commendatam volumus.

Westmonasterio, Apr. 19, 1659.

JOANNI PORTUGALLIÆ REGI.

Edidit nobis per libellum supplicem Franciscus Hurdidgius Londinensis, se annis 1649 et 1650 navis præfectum binominis, Mariæ scilicet et Joannis, per oram Angolæ atque Brasilîæ commercia quærentem à Lusitanis cum nave ac mercibus, quas septuagies mille coronatis aestimat, captum atque detentum fuisse; eam navem postea Hollandos Lusitanis eripuisse. Cùm itaque ex proximo fœdere inter alios hujus etiam petitoris usque eò habita ratio fuerit; ut à rege Portugalliæ vicies quinquies mille coronatorum illi ad damna sarcinenda solverentur, à majestate vestrâ magnoperè contendo, ut huic homini, quem sanè ad angustiam rei familiaris redactum hac calamitate esse arbitror, quæ assignata est ex pacto pecunia primo quoque tempore curetur. Deum oro uti pergat majestatem vestram remque Lusitanam tueri, sicuti facit, atque augere.

Westmonasterio, Apr. 1659

CAROLO GUSTAVO SUECORUM REGI.

Defert ad me David Fithius mercator, se ante mensem vel circiter cum curatoribus nostris rerum navalium contraxisse, ut centum quinquaginta cannabis Rigensis culleos sive tunnos quos vocant, classis nostræ usibus præstaret; et cannabim quidem eam jam esse

Rigæ* comparatam, navem etiam onerariam hinc solvere paratam, in quam cannabis illic imponatur, et ad classem nostram cujus pars jam Balticum versus ad subsidium vestrum navigavit, commodum deportetur; verum se accepisse recentius, edixisse majestatem vestram ne quis Rigâ, nisi singulari permissu regio, cannabim exportet; non posse ergo se stare contractis nisi amittendæ cûm navis tum mercis periculum adire velit. Rogo itaque majestatem vestram uti suis literis ad præfectum Rigæ scriptis huic Davidi licentiam exportandæ cannabis tot pondera quot se suppeditaturum classis nostræ curatoribus recepit nominatim velit concedere. Id erit et nobis gratissimum et vestris uti spero rationibus non alienum, quibusdam† nostras tam arctè conjunximus, quam conjunctionem ab Optimo maximoque Deo precor, ut ad gloriam suam velit utrique genti benè atque foeliciter evenire.

West. Apr. 1659.

Skinner's transcript also supplies the dates of several of Milton's letters, already printed, which being of use to the historian I here subjoin. The collations must be left for a future edition of Milton's Prose Works:

"Johanni IV. Lusitaniæ Regi," which stands as letter 6 in the edition of 1676, is dated "Westmonasterio, Feb. 24, 1649-50."

Letter 25. "Hanseaticarum Civitatum Proconsulibus ac Senatoribus," is dated "Westmonasterio, Apr. 16, 1652."

Letter 31. "Ferdinando Secundo Magno Duci Hetruriæ," "Westmonasterio, Sept. 2, 1652."

Letter 34. Eidem, "Westmonasterio, Nov. 9, 1652."

Letter 36. "Venetiæ Duci," "Westmonasterio, Dec. 29, 1652."

Letter 38. "Frederico Hæredi Norwegiæ Duci," &c. "Westmonasterio, July 2, 1653."

Letter 40. "Illustribus et Amplissimis Consulibus," &c. "Westmonasterio, Oct. 8, 1653."

* Riga was at this time in the possession of the Swedes, having been taken by Gustavus Adolphus: it was besieged by the Russians in 1656, but without effect, and did not finally surrender till 1710, when Peter the Great annexed it to the Russian empire.

† Sic in MS. *lege* quibus jam.

Letter 46. "Carolo Gustavo Suecorum Regi," for "4 Julii, 1654" read "Julii 11, 1654."

Letter 47. "Lodovico Mendezio de Haro." "Westmonasterio, Sept. 4, 1654."

Letter 49. "Consulibus ac Senatoribus Civitatis Bremensis," for "Albâ Aulâ, Oct. 26, 1654," read "Westmonasterio, Oct. 5, 1654."

Letter 50. "Illustrissimo Principi Tarentino." "Westmonasterio, Apr. 4, 1655."

Letter 51. "Immanueli Sabaudia Ducis," for "Albâ Aulâ, May, 1655," read "Westmonasterio, May 10, 1655," or according to the official copy, "Dabantur ex Aulâ nostrâ Westmonasterii, 25 Maii, anno 1656."

Letter 53. "Carolo Gustavo Suecorum Regi." "Westmonasterio, Maii, 1655."

Letter 54. "Federati Belgii Ordinibus." "Westmonasterio, Junii, 1655."

Letter 65. "Joanni Quarto Lusitaniae Regi." "Westmonasterio, Aug. 1658."

Letter 88. "Gulielmo Hassiae Langravio," for "Die Martii, 1656," read "Martii, 1657."

Letter 112. "Cardinali Mazarino," "May 25, 1655."

Letter 122. "Leopoldo Austriae Archiduci." "Westmonasterio, Aug. 1658."

Letter 132. "Cardinali Mazarino," for "29 Feb. 1658," read "Feb. 19, 1658."

In addition to the letters preserved in Skinner's transcript several original compositions of Milton have been found in the foreign correspondence in the State Paper Office, which have been identified by means of the entries in the Order Books of the Council of State. Of this nature is the following letter dated March 1648-9, probably the first written by Milton in his official capacity. For on the 15th of the same month we find it ordered "That Mr. John Milton be employed as Secretary for Foreign tongues to this Council; and that he have the same salary which Mr. Weckherlyn formerly had for

the same service." This entry is followed on the 22nd by an order, "That the letters now read, to be sent to Hamburg in behalf of the Company of Merchants-Adventurers, be approved; and that they be translated into Latin by Mr. Milton." This, although sufficient of itself to identify the production as Milton's, is further corroborated by an entry of the 26th, ordering "That the letters now brought in by Mr. Milton to the senate of Hamburg be approved; and that Mr. Isaac Lee, deputy of the Company of Merchant-Adventurers there, shall be appointed agent for the delivery of them." It so happens that this letter is endorsed as not having been delivered, but brought back by Mr. Lee; which confirms beyond a doubt the inference originally drawn from the date and purport of the letter. It is therefore to be presumed either that this letter was omitted from Skinner's Collection, by reason of Milton not having preserved a duplicate copy, he not having as yet taken possession of his official lodgings in Whitehall, or that it was considered unofficial, not having been delivered; whichever of these conclusions we prefer it is equally valuable to the biography of Milton, as the earliest evidence of his official employment.

Senatus Populusque Anglicanus Magnifico et Amplissimo Civitatis
Hamburgensis Senatui, Salutem.

Magnifici, amplissimi et spectabiles viri, amici charissimi, quantis bellorum incendiis, idque fere civilium, per hanc ætatem (quod sapientissimo Deo sic visum est) universa penè Europa conflagravit, vos, quanquam ipsi summâ jamdiu pace utentes ignorare non potestis. In quam communem calamitatem tametsi nos, eodem omnipotente Deo sic volente, plerisque cæteris posteriores incidimus, dilatio tamen ista numinis, quicquid tarditate nobis pepercerat gravitate tandem malorum quæ perpassi sumus faciliè compensavit; quorum fama procul dubio ad vos pervenit, doloris certè sensus nostris omnium animis infixus, et acerbissima ubique intestini belli vestigia etiamnum apud nos manent. Verum tot ærumnis et laboribus Dei benignitate perfuncti, post bella, inducias, colloquia, et tentata nequicquam

omnia, quibus libertatem planè ademptam atque armis de integro partam conservare possemus, nihil pulchrius, aut ad salutem populi accommodatius esse duximus, quàm superbum regni dominatum in civitatis liberæ formam convertere, et servitutis jugum semel potiùs à cervicibus nostris dejicere quàm perpetuas eam ob rem dimicationes, et repetitam toties belli aleam contra novos subinde dominos tentare. Confidimus etiam fore, uti Deus, cujus auspiciis et potenti auxilio devictos acie tyrannos insigni supplicio affecimus, eò consilia nostra et studium omne dirigat, ut justiciam et pacem, quoad fieri potest, ante omnia colamus. Cùm itaque tanta rerum conversio apud nos facta sit, æquum censuimus ad vos hæc scribere; adeoque Dominum Isacum Lee* Societatis Adventurariæ apud vos præfectum oratorem nostrum constituimus, eique in mandatis dedimus, ut vos in Senatu adeat, atque hac de re certiores faciat; simul ut sciatis quàm cupimus et studemus pacta omnia, conventiones, et fœdera quæ Anglorum genti cum civitate vestrà negotiandi causâ (quod utrorumque commodo fiat) intercedunt, quantum in nobis est, persanctè observari. Petimus ad hæc, ut qui mercatores nostri apud vos commorantur, iis privilegiis et immunitatibus frui possint, de quibus inter utramque gentem novissimè convenit; utque eos autoritate vestrà contra vim et contumelias improborum hominum tueri velitis, qui in patriâ suâ tyrannorum partibus addicti, et ob multa exinde maleficia domo profugi in populares suos libertatis publicæ amantes infestum ubique gentium et hostilem animum gerunt. Vos autem hoc persuasissimum habeatis, nos etiam his difficillimis reipublicæ nostræ temporibus, vestris civibus fidem omnem atque incolumitatem præstitisse et præstituros ultrò recipimus; ut intelligatis quàm nobis curæ sit, amicitiam illam et necessitudinem quæ populo Anglicano cum amplissimâ vestrà civitate perantiqua est, nullâ ex parte clarè dicare. Valete. Datum a palatio Westmonasteriensi, 2^{do} Aprilis, anno 1649, stylo Angliæ.

GULIELMUS LENTHALL senatus populi que Angliæ orator.

* The correspondence relative to Lee's embassy is extant in the State Paper Office, *Hamburgh Correspondence*, 1649.

Dorso.—The letter to the Senate of Hamburgh, not delivered; sent back by Lee, 2 April, 1649.

Second only to the famous despatch addressed to the Duke of Savoy is the eloquent oration intended to be delivered by Sir Samuel Morland in the hearing of the duke. Written in the same hand as the other official copies of Milton's letters, and in a style which proves its identity of source, this oration will be hailed by the admirers of the poet, whose "prose writings," in the language of a modern critic, "abound with passages compared with which the finest declamations of Burke sink into insignificance," as an example of his powers in a new field of eloquence.

S. R. C. Misit me serenissimus Dominus Olivarius Reipublicæ Angliæ, Scotiæ, et Hiberniæ Protector ad regales celsitudines vestras, quibus et salutem plurimam dicit, vitamque et principatum diuturnum prosperosque rerum omnium successus, inter plausus et vota populorum suorum summo cum affectu animi et singulari erga serenitates vestras studio exoptat. Atque id meritis quidem vestris, sive quis præclaram indolem celsitudinum vestrarum regiamque progeniem, summam denique de tot celsissimis virtutibus expectationem omnium intueatur sive antiquam regum nostrorum cum familiâ regiâ Sabaudiensi necessitudinem evolutis rerum monumentis, memoriâ recoluerit. Me verò quanquam adolescentem fateor, nec rerum usu satis maturum, tamen et regiis vestris celsitudinibus addictissimum, et totius nominis Italici studiosissimum visum est meo domino serenissimo ac benignissimo, etiam magnis de rebus mittere. Fertur apud antiquos Cræsi filius à naturâ fuisse prosus elinguis. Ille autem cùm primum militem quendam patri suo vulnus intentantem videret, linguam protinus expedit, nimirum haud aliter mea res agitur, cujus linguam hodie solutam reddunt nuperrima illa atque cruenta matris ecclesiæ vulnera, siquidem res magnæ dicendæ sunt, quibus multorum salus miserorum ac spes omnis continetur, quæ in hoc tota est posita, si

regalium vestrarum celsitudinum irritatos erga se animos, omni suâ fide, obedientiâ, humillimisque precibus lenire atque placare poterunt; quorum inopum ad causam quam quidem vel ipsa commiseratio meliorem facere videatur, etiam serenissimus Protector Angliæ deprecator accedit, vestrasque celsitudines regias summo opere rogat atque obsecrat, uti misericordiam suam hisce pauperrimis et ejectissimis subditis suis impertire dignentur; illis nimirum, qui radices Alpium et valles quasdam in ditione vestrâ incolentes, Protestantium religioni sua nomina dedêre. Audivit enim, quòd nemo celsitudinum vestrarum regalium voluntate factum esse dixerit, miserimos illos partim à vestris copiis esse crudeliter occisos, partim vi expulsos, domoque, patriâ exturbatos, adeòque sine lare, sine tecto, inopes, omnique ope destitutos, per asperrima loca, atque inhospita, montesque nivibus coopertos, cum suis conjugibus ac liberis vagari. Quid enim per hos dies, modò vera sint quæ fama hodiè ubique locorum refert (atque utinàm fama jam mendax esset!) inausum intermeratumve illis; passim fumantia tecta, et laceri artus et cruenta humus. Imò verò stupratæ virgines injectis in ventrem vi lapillis, miserè efflârunt animas, senes et morbis laborantes mandati fuêre flammis, infantum autem alii in saxa contriti, aliorum cocta et comesta * cerebra, scilicet horrendum scelus, nec priùs auditum, et sævitiâ, bone Deus, quantâ si hodie reviviscant omnes omnium temporum et ætatum Neronēs, quantus illis pudor esset, quippè qui nihil unquam adeò inhumanum excogitassent; verùm enimvero exhorrescunt angeli, mortales stupent, sed et ipsum cælum clamoribus hisce attonitum esse videtur, ipsaque terra diffuso tot hominum innocuorum sanguine erubescere. Noli summe Deus, noli vindictam quærere huic facinori debitam! Tuus, Christe, sanguis eluat hanc maculam; verùm hæc ordine, ut gesta sunt, aut iisdem diutiùs

* Attestation of Thomas Guiot, surgeon, and Francis Pra, touching the boiling and eating of the brains of some of the poor Protestants during the heat of the massacre in the year 1655, made 7 Oct. 1655. Sir Samuel Morland's History of the Evangelical Churches in Piedmont, p. 336, in which book several other instances of cannibalism and revolting cruelties practised on the Protestants of the Alpine valleys are related.

inhærere, nec meum est, et quid serenissimus meus dominus à celsitudinibus vestris regalibus petat, ex ipsius literis meliùs intelligetis. Quas literas regiis vestris celsitudinibus omni cum observantiâ debitoque cultu dare sum jussus, quibus, si celsitudines vestræ regales id quod magnoperè speramus primo quoque tempore responsum, indulgebunt, et rem gratissimam Domino Protectori qui rem altâ mente reposuit, totique Reipublicæ Angliæ fecerint, et multis millibus afflictissimorum hominum, qui suo ex nutu pendent, vitam, salutem, spiritum, patriam, atque fortunas, miseratione suâ regiis suis celsitudinibus dignissimâ restituerint, et me tam egregiæ suæ clementiæ nuntium fœlicissimum summo cum gaudio, et celsissimarum virtutum suarum prædicatione, devinctissimum etiam in omne tempus celsitudinibus suis regiis reducem in patriam, dimiserint.

There is also a treatise, which ought to be included in the collections of Milton's prose works, preserved in the State Paper Office, and another copy amongst the King's Pamphlets in the British Museum (No. 539, art. 8), for, although it does not bear his name, there is direct evidence in the Order Books of the Council of State that it was written by him at the command of the Parliament. It bears the following title:

Scriptum Parlamenti Reipublicæ Angliæ de iis quæ ab hac repub. cum Potestatibus Fœderatarum Belgii Provinciarum Generalibus et quibus progressibus acta sunt, deque controversiis in præsentia exortis, quibus prædictæ potestates occasionem præbuere.

Adjicitur et Responsum Parlamenti ad Ternas Chartulas à Dominis Legatis Potestatum Generalium Extraordinariis, ex occasione pugnæ navalis inter Anglorum et Belgarum classes consortæ.

Unâ cum illius pugnæ, sicuti commissæ est, narratione.

Postremo scripta illa in unum collata quæ inter Parlamentum Reipub. Angliæ et D. Adrianum Pauw, Legatum Fœderatarum Belgii Provinciarum Extraordinarium, cum de pace agerent, ultro citroque reddita sunt. Londini. Typis Du-Gardianis, anno Domini 1652.

So early as the 26th of June, 1650, we find it ordered* that the Declaration of Parliament “ be translated into Latin by Mr. Milton, into Dutch by Mr. Haak,† and into French by Monsieur Augier.” Its publication was however delayed for a time pending the negotiations, till at length, the demands of the Dutch being considered inadmissible, the Council of State issued another order, dated 13th of July, 1652, directing Mr. Thurloe to “ appoint fit persons to translate the Parliament’s Declaration into Latin, French, and Dutch;” which was followed by an order, dated July 20, “ to Mr. Dugard to speak with Mr. Milton concerning the printing the Declaration; to be sent to each of the ambassadors and public ministers in town, and also to the public ministers of this commonwealth abroad.”

This was a delicate and important trust, for so great was the doubt entertained as to the justice of the war, that Admiral Penn, the father of the founder of Pennsylvania, after the commencement of hostilities, wrote to Cromwell,

“ My Lord, I find the most, and indeed those that are best principled and most conscientious of our commanders, doe much desire some information of the justness of our quarrell with the Hollander, which they doe not in the least doubt of, yett I find them somewhat troubled and dejected for theyr ignorance in that poynt, &c.

“ Your Excellencyes most faithful servant,

“ WILL. PENN.

“ From on board the Tryumph, in the Downes, 2 June, 1652.”‡

If such were the feelings of the sailors, we may imagine the doubts which perplexed more fastidious minds, before the publication of this manifesto, more especially as the Dutch had printed a specious Declaration in English (a copy of which is preserved in the State Paper Office§), which they caused to be circulated in England,

* Order Books of the Council of State.

† Mr. Theodore Haak, a well-known scholar and Fellow of the Royal Society, translated the first six books of the *Paradise Lost* into German in 1728.

‡ Original State Letters, &c., preserved by Milton, p. 87.

§ Holland Correspondence, 1652.

calling on all honest men to oppose so iniquitous a course as a war between the two commonwealths, which must materially weaken the Protestant interest in Europe. But so efficacious was the arrangement which Milton adopted in appending the whole of the correspondence to the Parliamentary Declaration that the scruples which had previously disturbed our captains vanished, and the victories of Blake re-established the English supremacy on the ocean.

This treatise, which is of great historical value as explaining one of the most difficult episodes in the history of the English Commonwealth, is doubly interesting as being almost the last public service performed by Milton before the complete failure of his sight, which occurred in the latter part of the year 1652, as we learn from his letter to Leonard Philaras,* (fifteenth of his Latin epistles,) as also from an allusion in his letter of Feb. 21, 1652-3, to the President Bradshaw, in which he asks that Mr. Marvell may be appointed to aid him in his office of secretary.

MY LORD,† —But that it would be an interruption to the publick, wherein yo^r studies are perpetually imployd, I should now and then venture to supply this my enforced absence wth a line or two, though it were my onely busines, and that would be noe slight one, to make my due acknowledgments of your many favours; which I both doe at this time, and ever shall; and have this farder, which I thought my parte to let you know of, that there will be with you to-morrow, upon some occasion of busines, a gentleman whose name is Mr. Marvile; a man whom, both by report and the converse I have had with him, of singular desert for the State to make use of; who alsoe offers himselfe if there be any employment for him. His father was the minister of Hull, and he hath spent foure yeares abroad in Holland, France, Italy, and Spaine, to very good purpose, as I beleeve, and the gaineing of those four languages; besides he is a scholler and well read in the Latin and Greeke authors; and noe doubt of an approved conversation, for he com's now lately out of the house of the Lord Fairefax, who was generall, where he was intrusted to give some instructions in the languages to the lady his daughter. If upon

* Ambassador from the Duke of Parma to Louis XIV. an Athenian by birth.

† State Paper Office, Dom. Corr., 1653. This letter has been printed by Todd, but omitting name.

the death of Mr. Wakerley [Weckherlyn], the counsell shall thinke that I shall need any assistant in the performance of my place (though for my part I find noe encumbrance of that which belongs to me, except it be in point of attendance at conferences with ambassadors, which I must confesse in my condition I am not fit for,) it would be hard for them to find a man soe fit every way for that purpose as this gentleman, one who I beleeeve in a short time would be able to doe them as good service as Mr. *Ascan*.* This, my Lord, I write sincerely, without any other end then to performe my duty to the publick, in helping them to an able servant; laying aside those jealousies, and that emulation, which mine owne condition might suggest to me, by bringing in such a coadjutor; and remaine,

My Lord, your most obliged and faithfull servant,

JOHN MILTON,

For the Honourable the Lord Bradshaw.

Feb. the 21, 1652.

From this letter, it has been argued that Milton was not entirely blind at the time of its inditement, because the letter itself is in the same hand as the signature, and therefore must be holograph.† This however is not the case, as any one may be convinced who takes the trouble to compare it with other known specimens of Milton's hand, one of the latest of which will be found in the State Paper Office amongst the Composition Papers,‡ bearing date 25 Feb. 1650. And we may be sure that Milton would not have spelled his friend Marvell's name Marvile, nor his assistant Weckherlyn, Wakerley; still less likely was he to have changed Anthony Ascham, whom in all his foreign despatches he spells correctly, into Mr. Ascan. This may, therefore, be referred to, as perhaps the earliest example of a letter purporting to be from Milton being signed by a strange hand, and is strong evidence that his blindness was already complete.

Notwithstanding the deprivation of sight, Milton continued not

* Anthony Ascham sent ambassador to Philip IV. of Spain from the English Commonwealth. Milton's Letters of State, 4 Feb. 1649-50.

† Notes and Queries, Second Series, No. 123, p. 372.

‡ First Series, vol. xli. No. 1298.

only to be consulted in matters of political importance, but, as we learn from the narration of Whitelock,* was actively employed on occasions in his secretary's office. When the Swedish ambassador Lagerfeldt was desirous of having the treaty ratified which had been concluded in 1656, and the delay was excused to him, because the articles had been sent to Milton to be translated into Latin, he exclaimed in surprise, "it seemed strange to him that there should be only one man in England, and that man blind, capable of putting a few articles into Latin."

The authentic copy of this treaty is preserved in the State Paper Office, and has never been included in Milton's prose works; but, as the material portion of it is printed in the *Recueil de Traités de Paix*† and other collections, it has not been thought proper to give it here. It was probably on occasion of the commencement of this treaty in 1654, while Christina was queen of Sweden, that Milton addressed to her those lines usually, though erroneously, ascribed to Marvell:—

Bellipotens virgo, septem Regina Trionum,
Christina, aretoi lucida stella poli;
Cernis quas merui durâ sub casside rugas;
Sicque senex armis impiger ora fero:
Invia fatorum dum per vestigia nitor,
Exequor et populi fortia jussa manu.
At tibi submittit frontem reverentior umbra,
Nec sunt hi vultus regibus usque truces.

There is also a treatise on the persecution of the Vaudois preserved in the State Paper Office, and amongst the King's Pamphlets in the British Museum, bearing the following title: "Sabaudiensis in Reformatam Religionem Persecutionis brevis Narratio, ex scriptis potentissimo principi Olivero Reipublicæ Angliæ, Scotiæ et Hiberniæ, Protectori, nuper communicatis desumpta et in methodum digesta. Londini. Typis Tho. Newcomb. Impensis Authoris. 1655;" and dedicated to the Protector, which, if not entirely Milton's composition, probably contains some portion of his writing. The translation of the "Declaration of his Highness, with

* Mem. p. 633, ed. 1682.

† Tom. iii. p. 694.

the advice of his Council, inviting the people of England and Wales to a day of solemn Fasting and Humiliation," as also the "Instructions for a Collection for the Relief of the suffering Protestants of the Alpine Valleys," would naturally fall to the lot of Milton as Latin Secretary, which its language also indicates. Is it not probable that the whole treatise was written by Milton, and published by his supposed relative Bradshawe, President of the Council of State, as it bears the double initial B.M. and was printed "impensis authoris?"

Although these letters of State are undoubtedly valuable as historic documents, being a main source from which those engaged in writing or studying the history of the period must draw their conclusions as to our foreign policy, they are principally so as examples of that pure Latinity which caused Milton to be regarded as the most accomplished scholar of his day, and which, to the credit of his contemporaries, was considered no mean distinction. Indeed, the uncompromising Republicans refused not only to submit to dictation in matters of state, but to adopt any other language than the Latin in their negotiations; considering the universal spread of the French tongue as paving the way for French dominion.

On the publication of the *Defensio*, Milton was complimented at home by the visits or invitations of all the foreign ambassadors then resident in London, and received the public thanks of the Government: "The Councill, takeing notice of the manie good services performed by Mr John Milton, their Secretarye for Forreigne Languages to this State and Commonwealth, particularlie for his booke in vindication of the Parliament and people of England, against the calumnies and invectives of Salmasius, have thought fitt to declare their resentment and good acceptance of the same; and that the thanks of the Councill bee returned to Mr Mylton, and their sense represented in that behalfe." It will be observed that in this entry no mention is made of the thousand pounds said to have been paid by Government to Milton for writing this book; in a previous entry, however, in the Council Book, which was afterwards erased, there is a paragraph still legible, by reason of the ink of the original entry

having grown darker with time, and so reappearing through the obliteration: "That thanks be given to Mr Milton, on y^e behalf of the Commonwealth, for his good service in writing an answer to the book of Salmasius, written against the proceedings of the Commonwealth of England. *And it is ordered that the sum of one hundred pounds be given to him, as a reward from the Council for his good service done in writing in answer to Salmasius.*"

From this we learn that the sum originally offered to Milton was a hundred, and not a thousand, pounds as stated by his biographers; but whether it were on conscientious grounds that Milton refused the largess, as he was already receiving a salary of three hundred pounds per annum as Secretary for Foreign Tongues, or that the Council of State thought better of their liberality, we have no data for ascertaining, save that the second entry, in which no mention is made of money, is more liberal in its praise of the service he had rendered to the Commonwealth, which would lead to the inference that the money was offered and declined by Milton, who preferred that his great prose work should be a thank-offering to the Republic. Nor is this improbable when we recollect that he was so devoted to the task that when his physicians warned him to desist if he valued the preservation of his sight, he replied he did not hesitate to prefer what he thought his duty to his eyes:

What supports me, dost thou ask?
 The conscience, friend, to have lost them over-plied
 In Liberty's defence, my noble task,
 Of which all Europe rings from side to side.
 This thought might lead me through the world's vain masque,
 Content, though blind, had I no better guide.

It was on account of the principles maintained in this work that the storm of indignation which subsequently extinguished Milton's worldly prospects first broke over his head; for, although personally unconcerned in the violent acts which preceded the King's execution, and probably inwardly averse to them had his counsel been asked before their committal, now that they were accomplished

and irrevocable he almost alone stood forth the literary champion of the popular cause, and defended that which others either had not the ability or the courage to uphold.

It was in this spirit that he wrote the famous treatise "Iconoclastes," which produced great consternation amongst the Royalist party, and was deemed of such importance by the Republican Government that they made its reprinting a matter of public concern: "Ordered, Wednesday, 5th of March, 1650-1, That it be referred to the Committee of Examinations to view over Mr. Milton's booke [the Iconoclastes], and give order for reprinting of it as they thinke fit. And that they alsoe examine the complaynt by him made about Peter Cole his printing a copie concerning the Ricketts which Mr. Dugard alledgeth to be his."*

That however from which the public character of Milton derives its great and peculiar splendour still remains to be mentioned:—

"The glory of the battle, (remarks Macaulay,) which he fought for the species of freedom which is the most valuable, and which was then the least understood, the freedom of the human mind, is all his own. Thousands and tens of thousands among his contemporaries raised their voices against Ship-money and the Star Chamber; but there were few indeed who discerned the more fearful evils of moral and intellectual slavery, and the benefits which would result from the liberty of the press and the unfettered exercise of private judgment:" principles which he so nobly maintained in

* This entry from the Order Book of the Council of State is given by Todd, p. 137, but so imperfectly that it fails to convey the meaning of the original.

The following entries are also entirely omitted by him:

"1649, Apr. 20. Ordered, That the letters brought in by Mr. Watkins be viewed by Mr. Frost or Mr. Milton to see if any of them conteyne anything concerning the exportation of any prohibited goods."

"1649-50, Jan. 29. Ordered, That Mr. Milton doe prepare a letter to be sent unto the governour of Tituan in answer to his letter to the councill."

"1651-2, Jan. 26, Monday. Ordered, That Mr. Milton doe translate into Latine the answer of the Councill to the first paper of the Lord Ambassadors of the United Provinces conteyning three Articles." (Order Books of the Council of State.)

his treatise on Unlicensed Printing; yet, be it not supposed that Milton was a friend to licentiousness of writing any more than of morals, for, while he condemned the censorship of the press, he maintained the responsibility of the author; thus we find him directed by the Council of State to report upon the newspaper "*Mercurius Pragmaticus*," which, by its violent language, had justly brought down upon itself the censure of the Government. He however managed to conduct himself in this difficult position in so judicious a manner that, instead of making an enemy of his political opponent the editor of the "*Mercurius Pragmaticus*," he won him over to the number of his friends, and in conjunction with Lenthall and Bradshawe, persuaded him to change his party, so that in the next year we find Needham the editor of the "*Mercurius Politicus*" instead of the "*Pragmaticus*," which had been suppressed, as we must suppose, on the report of Milton, for in the Order Book of the Council of State, it is ordered, 1649, June 23, "That Mr. Milton doe examine the papers of "*Pragmaticus*," and report what he finds in them to the Council." The number of "*Mercurius Pragmaticus*" here referred to was probably Number 53, from Tuesday, May 1, to Tuesday, May 8 (1649), as this is the only number of that newspaper preserved in the State Paper Office, and was therefore evidently brought under the notice of the Government, and its contents appear to warrant the conclusion. That Needham was a man of ability, we should naturally expect, from his acquaintance with Milton, but as he has been so generally maligned by contemporary historians, who represent him as "siding with the rout and scum of the people, and making them weekly sport of all that was noble in this new miscellany of intelligence"* (*the Mercurius Politicus*), it is gratifying to find him receiving the thanks of the Government and a reward of 200*l.* for his able translation of the "*Mare Clausum*," an employment to which he was probably recommended by Milton:—"At the Committee † of the councell for reviving the references to the former committee for examinations. According to an order of

* Wood, *Athen. Oxon.*

† Dom. Interreg. 1653, S. P. O.

the Councill in that behalfe of the eighth of November last past, revived, amongst other things, and recommended to the care of this committee: Wee have considered of the translation of the learned booke called *Mare Clausum*, and of a reward fitt for the translator thereof, and finding the worke verie exactly performed, and evidencing much judgement, care, and industrie in him whoe did it, and that hee proceeded therein by speciall order and direction of the Committee of the Councill of State for Forreine Affaires, as by the same appeares: Wee are of opinion that the said booke, being now rendered English, and learnedly asserting the rights and interest of this Commonwealth in the adjacent seas, with that which being added thereto is alsoe published, is and wil bee of good use for these and future tymes, and that the translator and publisher thereof deserves well the sume of twoe hundred pounds to bee conferred upon him for his paines and encouragement: And it is ordered that report hereof bee made to the Councill, and that if they please to agree thereto they bee moved to appoint the moneyes to bee paid out of the Councill's exigencies. 3 Feb. 1652-3."

It will probably occur to the reader to inquire how the letters now under discussion have never been included in Milton's writings, more particularly as the collection of State Letters, surreptitiously published in 1676, was re-edited in 1690 by Pritz, and translated by Milton's nephew Phillips, by neither of whom are they alluded to. Of their genuineness there is no doubt, for by means of documents preserved in the State Paper Office we can trace their history from the period they were written until the present moment. Milton, as we are informed by Aubrey, entrusted several of his unpublished writings to "Mr. Skinner, a merchant's son in Mark Lane,"* whom Wood, without any authority, assumes to have been "Cyriack,"

* Daniel Skinner, merchant, of the parish of St. Olave, Hart-street, which parish comprises a considerable part of Mark-lane. He is mentioned in the Order Books of the Council of State, under date 1651-2, Jan. 14, where it is ordered, That the Petition of Daniel Skinner and Thomas Skinner, merchants, be referred to the Judges of the Admiralty, who are to examine the matter of fact layd downe in the said Petition, and to state

though Aubrey does not so describe him, but introduces another Mr. Skinner, of the Jerker's Office, up two pair of stairs, at the Custom House. This was, no doubt, the person to whom Milton entrusted his MSS. and who, on his going to Holland in 1676, gave them to Elsevier for publication, as the Government of the Restoration in England were so jealous of everything proceeding from the pen of the great defender of commonwealths, that even *Paradise Lost* was scarcely allowed to appear in print, the licenser fancying he discerned something treasonable in the simile—

———— as when the sun, new-risen,
Looks through the misty horizontal air.*

Meanwhile, the surreptitious edition of the State Letters, published in 1676, had excited so much alarm, that diligent inquiry was instituted as to any other unpublished papers of the deceased secretary. Suspicion fell on Daniel Skinner, as the author of their publication, and he was called upon to give an account of what he knew of the matter. A copy of his attestation, preserved in the State Paper Office, and indorsed by Bridgeman, Sir Joseph Williamson's † secretary, is to the following effect: "That Mr. Pitts, bookseller in Paul's Churchyard, to the best of my remembrance, about 4 or 5 months agoe, told me he had mett withall and bought some of Mr.

the same and to certifie it to the Councell, together with their opinion whether their case be ready for letters of reprisall.

That the Petition of Daniel Skinner, merchant, be referred to the Judges of the Admiralty, who are to examine the matter of fact layd downe in the said Petition, and to state the same and to certifie it to this Councell. (Order Books of the Council of State, No. 5.) There are also two letters of his preserved in the State Paper Office, one dated from Calais, 17 Oct. 1635, to Sir John Coke, Secretary of State, another in the French Correspondence, bearing date 17 Oct. 1626, which, as they have not been noticed by the biographers of Milton, I have printed in the Appendix.

* *Paradise Lost*, book i. l. 594.

† Sir Joseph Williamson was at this time Secretary of State, to which office he was appointed in 1674. He had previously been Keeper of State Papers, and in 1665 was made Under-Secretary, shortly after which he was knighted. On his retirement from office in 1678 he was made President of the Royal Society, and died in 1701, having served in several parliaments.

Milton's papers, and that if I would procure an agreement betwixt him and Elseviere* at Amsterdam (to whose care I had long before committed the true perfect copy of the State Letters to be printed), he would communicate them to my perusal; if I would not, he would proceed his own way, and make the best advantage of 'em: soe that, in all probability, I not procuring Elseviere's concurrence with him, and 'tis impossible it should be otherwise, Mr. Pitts has been the man by whose means this late imperfect surreptitious copy has been published.

"I attest this to be truth.

(Signed) "DAN. SKINNER."

"Oct. 18, 1676."

Aroused by the information that Elsevier was about to bring out an authentic edition of these letters, Sir Joseph Williamson, then Secretary of State, wrote for information on the matter, and received, in reply, the following letter,† which identifies the present copy preserved in the State Paper Office, from which the preceding letters have been printed, as the "true perfect" copy of Milton's Letters.

MONSIEUR,—

Il y a environ un an que je suis convenu avec Monsieur Skinner d'imprimer les lettres de Milton, et un autre manuscript en Théologie; mais, ayant reçu les dits manuscripts, et y ayant trouvé des choses que je jugeois estre plus propres d'estre suppriméz que divulgéz, j'ay pris resolution de n'imprimer n'y l'un n'y l'autre. J'avois escrit pour ce sujet à Mons^r Skinner à Cambridge; mais comm'il n'a pas esté au dit lieu depuis quelque temps, ma lettre ne luy estoit pas parvenue. Sur cela il est arrivé en cette ville, et a esté ravy d'entendre que je n'avois pas commencé d'imprimer les dits traités, et il a repris ses manuscripts.

Il m'a dit que vous avez esté informé, Monsieur, que je devois imprimer tous les ouvrages de Milton ensemble. Je vous puis protester de n'y avoir jamais pensé, et que j'aurois horreur d'imprimer les traités qu'il a fait pour la defense d'une si meschante et abominable cause. Outre qu'il ne

* There were five learned printers of this name: Lewis of Leyden, Bonaventure, Abraham, Lewis, and Daniel. The last who is here designed died in 1680.

† State Paper Office, Holland Correspondence.

seroit pas bienseant au fils de celuy qui a imprimé le premier "Salmasii Defensionem Regiam," et qui auroit donné sa vie s'il eust pu sauver le feu roy de glorieuse memoire, d'imprimer un livre si detesté de tous les honnestes geans. Je suis obligé de vous dire, Monsieur, que le S^r Skinner me tesmoigna une tres grande joye de ce que je n'avois pas commencé l'impression des dits ouvrages, et me dit qu'il estoit d'intention, qu'en cas que le dit livre eust esté commencé, d'en achepter les feuilles pour les supprimer, qu'il avoit pris une ferme resolution d'user en sorte des dits manuscrits qu'ils ne paroistroient jamais ; et j'oserois vous en repondre, Monsieur, dans la forte resolution que je l'ay vu d'en user ainsy, et principalement depuis qu'il a eu l'honneur de vous avoir parlé, et que luy avez tesmoigné que ne seriez pas bien aise que les dits manuscrits parussent, et comm' il attend de vous son advancement on ne doit pas doubter qu'il ne tiene sa parole. Monsieur, je ne puis finir la presente sans tesmoigner ma recognoissance pour les bontés qu'avez eu pour moy, lorsque j'estois à Londres ; et je voudrois avoir occasion de vous pouvoir estre utile à quelque chose pour pouvoir montrer avec combien de respect je suis, Monsieur,

Vostre tres humble et tres obeissant serviteur,

DANIEL ELSEVIER.

D'Amsterdam, le 20^{me} Novembre, 1676.

P.S. J'oublois de vous dire, Monsieur, que le S^r Skinner ny moy n'avois aucune part à ce qui a paru depuis peu du dit Milton ; et que je n'en avois jamais ouy parler que lorsque Mons^r Skinner me le dit icy. Il m'avoit bien mandé par cy devant qu'un certain libraire de Londres avoit eu quelques lettres de quelqu'un, qui les avoit derobé au feu Milton ; mais ny luy ny moy n'avois eu aucune part à cette impression, de quoy je vous prie de vouloir estre persuadé.

That Elsevier intended to publish a second or corrected edition of the letters from this MS. will appear from his letter to Daniel Skinner, senior, merchant in London, who was then residing in Crutched Friars, in which he forwards a copy of the prospectus he had already issued.

MONSIEUR,—

D'Amsterdam, le 19^{me} Fevrier, 1677.

L'honneur de la vostre du 2^{me} de ce mois m'a esté bien rendue. Il est tres vray que j'ay receu par Symon Heere les deux manuscrits de

Milton, à scavoir ses Œuvres en Théologie, et ses Lettres ad Principes, qui sont encore au mesme estat que je les ay receus, n' ayant pas trouvé à propos de les imprimer. Vous scaurez, sans doubte, que Monsieur vostre fils m'a fait l'honneur de me venir voir, qui fut fort satisfait quand il vit que je n'avois pas fait imprimer les dites œuvres, et me pria de les envoyer par la 1^{re} commodité à Nimwege à Monsieur le Secrétaire de l'Ambassade; mais comme il commença à geler devant que j'ay pu poursuivre ses ordres, et ayant depuis receu ordre de vostre dit fils de Paris, de vous les envoyer par la première commodité de navires; laquelle commission je ne manqueray pas d'effectuer, et les donneray, bien empaquetéz, à Jacob Hendrix, qui sera le premier qui partira d'icy pour vostre ville. J'ay esté bien mary de ne pouvoir plutost executer ses ordres; mais la gelée, qui a duré icy plus de 3 mois, a empesché que les navires n'ont pu partir. A la demande de Monsieur vostre fils j'ay escrit une lettre à Monsieur Joseph Williamson, Secrétaire d'Estat, par laquelle j'ay asseuré le dit seigneur que les dits livres estoient encore entre mes mains; que je n'avois nul dessein de les imprimer, et que Monsieur vostre fils les remettrait entre ses mains, etc.

Ainsy, Monsieur, que vous n'avez nul sujet de vous mettr' en peine de ce costé-la; car, en premier lieu je suis seur* que Monsieur vostre fils n'a nulle intention de les faire imprimer; mais, au contraire, de les mettre entre les mains du seigneur cy dessus nommé; et que, de mon costé, je ne les voudrois pas imprimer quand on me feroit present de 1,000 livres sterlings pour diverses raisons. Je vous prie de croire Monsieur, que les dits livres vous seront envoyez par Jacob Hendrinx, et vous seront adressés en son temps.

Je vous offre mon service, et suis, de tout mon cœur,

Monsieur,

Vostre très humble serviteur,

DANIEL ELSEVIER.

Innotescat omnibus cùm in academiis, tum in Londino literatis, bibliopolis etiam, siqui sint qui præter solitum Latine sciunt, necnon exteris quibuscunque, quod Literæ Johannis Miltoni Angli, interregni tempore scriptæ, quas bibliopola quidam Londinensis, secum habitâ consultatione

* lege sûr.

quantam in rem famamque quantam imperfectissimum quid et indigestum ex operibus tanti viri sibi pro certo cederet, nuper in lucem irrepi fecit (præterquam quod à contemptissimo quodam et perobscuro preli quondam curatore, qui parvam schedarum manum vel emendicaverit olim abs authore, vel, quod verisimilius est, clam suppilaverit, perexiguo pretio fuerunt emptæ,) sunt miserè mutilæ, dimidiatæ, deformes ex omni parte, ruptoque ordine confusæ, præfatiunculâ spurcâ non minus quàm infandissimâ dehonestate, cæterisque dein à numerosioribus chartis nequiter arreptæ. Quodque vera Literarum exemplaria, locupletiora multum et auctiora, composita concinnius et digesta, typis elegantioribus excudenda sunt in Hollandiâ prelo commissa. Quæ unâ cum Articulis Hispanicis, Portugallicis, Gallicis, Belgicis, in istâ rerum inclinatione nobiscum initis et percussis, pluribusque chartis Germanicis, Danicis, Suevicis scitissimè scriptis, ne ex tam spuriis libri natalitiis, et ex tam vili præfatore læderetur author, brevi possis, humanissime lector, expectare.

It will be observed that Elsevier, in his letter of Nov. 20, alludes to Skinner's hopes of preferment from Williamson, and insinuates his intention "to dispose of those manuscripts in such a manner as that they should never again appear." This was no doubt by sending them to Williamson, as appears more clearly from Skinner's letter to Pepys,* which lets us into the secret springs of the whole transaction.

MAY IT PLEASE YOUR WORSHIP,—

Rotterdam, Nov. 19, 1676.

After an ill success in most of my designs towards my preferment in London, still frustrated in all attempts, and crossed in all my undertakings, I at last, with what confidence I know not, made my humble addresses to you, esteeming no person so able, no person so ready, to advance me as yourself; whom I found, indeed, so favourable and countenancing, so full of candour, or rather pity, that your granting me that access, and your readiness to do me good, has wrought as deep an impression as if immediately you had conferred on me the greatest promotion imaginable.

Thus, methought, I hugged myself a long time with the hopes of so good and great a patron; till at last, directed by some unkind suggestion,

* Secretary to the Admiralty and author of the well-known Diary.

whether (which must needs take place) edged on by many emergent urgencies, I ventured so far (oh, grand presumption!) as to beg your worship to supply me for the present with ten pounds, not being content to remain in expectation of some undoubted favour from you, but must anticipate it by an over hasty ambition of being indebted to you: a thing, Sir, that, had you known what a storm it raised in me, after a due consideration of what I had done, you would have sent me pardon, and would have absolved me from the guilt of so great presumption.

My silence, Sir, and not waiting on you afterwards, does in some measure demonstrate my sorrow, and indeed shame, for such boldness, occasioned on no other account but continual and daily hopes of receiving ten pounds of my father, whereby I might safely approach and make a grateful return of your worship's kindness, not being able to appear till I could procure that.

During this expectation, and in the very midst of my wishes of attaining something whereby I might make a speedy acknowledgment of your worship's favour, heaven was so propitious as to cause a letter to be sent from Nimeguen to know whether I would embrace the opportunity of being under Mr. Chudleigh, secretary to the embassy,* the same I had hopes of long ago, and for which I obtained your worship's good and gracious character of me to his Excellency my Lord Ambassador Jenkyns,† a favour I shall never forget.

No sooner acquainted with this happy news, but I leaped at it; and, though I went out of England without waiting on you (Fate not permitting me to make those acknowledgments I would), yet I had so grateful a design in me, as soon as I was settled at Nimeguen, to have presented you with the first-fruits of my pen and labour, and to have begged your pardon in an ample and satisfactory letter. But incapacity of returning your worship's due forced me to go out of England with so much disadvantage, when otherwise I might have procured those recommendations from you as alone would have made my coming to Nimeguen most acceptable. But now, sir, as I have of late expected the rise of my fortune from your great and good self, so still does it lie in your worship's power to retrieve the ruin that must necessarily fall on me, if not

* Afterwards "British Resident at the Hague."

† Sir Leoline Jenkins, appointed Plenipotentiary at Nimeguen 1675, ob. 1685.

instantly, at the sight of this letter, prevented by you, and remedied. At so easy a rate may you recover my misfortunes, that is, at no greater expense than two or three words, may you be the instrument of my perpetual happiness. When you have read what the matter is, you will wonder that so small a thing should obstruct my advancement.

The case is thus, Sir. After a hazardous passage cross the seas, though first a great expense in clothing myself for so great an appearance as this at Nimeguen, and a long, tedious, mighty chargeable journey through all the parts of Holland (a country serving only to set a greater value on our own), I at last arrived at Nimeguen, meeting with a very kind and (beyond expectation) fair reception from Mr. Chudleigh, though (which is the misfortune I am telling you of) I was surprised with an unkind letter which his honour Sir Joseph Williamson had conveyed before my arrival to my Lord Jenkyns concerning me. The whole business was thus :

Your worship may please to remember, I once acquainted you with my having the works of Milton, which he left behind him to me, which, out of pure indiscretion, not dreaming any prejudice might accrue to me, I had agreed with a printer in Amsterdam * to have them printed. As good fortune would have it, he has not printed one tittle of them. About a month ago there creeps out into the world a little imperfect book of Milton's State Letters procured to be printed by one Pitts, a bookseller in London, which he had bought of a poor fellow that had formerly surreptitiously got them from Milton. These coming out so slyly, and quite unknown to me, and when I had the true and more perfect copy, with many other papers, I made my addresses to Sir Joseph Williamson, to acquaint him that there was a book come out against his authority ; that if his honour connived at that, he would please to grant me licence to print mine ; if not, that he would either suppress that little book, or give me leave to put (in the bottom of the Gazette) that they were printing in Holland, in a larger, more complete edition.†

Now, Sir, (little thinking that Sir Joseph was such an enemy to the name of Milton,) he told me he could countenance nothing of that man's writings. In his answer I acquiesced. A little while after, his honour

* Daniel Elsevier, see p. 31.

† The advertisement announcing this edition will be found at p. 33, at the end of Elsevier's letter to Daniel Skinner, senior.

sends for me to know what papers I had of Milton's by me, and that I should oblige him if I would permit them to his perusal ; which very readily I did, thinking that it might prove advantageous to me, and finding upon this so great an access to his honour, I presented him with a Latin petitionary epistle for some preferment, either under him or by his means. His honour was pleased graciously to receive it, and in a most expressive manner to promise me any advancement that might be in his power.

During this, the opportunity of going to Nimeguen happened ; and the day before I went out of England, I went to his honour for some recommendations. He returned me my papers with many thanks, and was pleased to give me a great deal of advice not to proceed in the printing of my papers at Amsterdam ; that it would be an undoubted rub in any preferments of mine : and this, he said, he spoke out of mere kindness and affection to me. I returned his honour many humble thanks, and did expressly assure him that, as soon as I got to Amsterdam (which I took in my way on purpose) I would return my copies, and suppress them for ever, which, Sir, I have done, and have followed his honour's advice to every punctilio.

Yet, notwithstanding this, his honour was pleased (whether I shall term it unkindly or unnaturally) to despatch a letter after me to my Lord Jenkyns, to acquaint his Lordship that I was printing Milton's works, and wished them to have a care of me in the King's service ; which has put a little stop to my being employed as yet, till I can write to England, and procure so much interest as to clear Sir Joseph Williamson's jealousy of my being yet engaged in the printing of these papers ; though my Lord Jenkyns and Mr. Chudleigh are so well satisfied, after my giving them a full account of the business, and bringing my copies with me to Nimeguen, ready to dispose of them where Sir Joseph shall think fit, that they seem as much concerned at Sir Joseph's letter as I do, and have sent me here to Rotterdam at their charge (so kind they are) to remain here till I can write to England, and they have an answer from Sir Joseph Williamson how that his honour is satisfied ; which they don't at all question but he will be when he shall hear what I have said and done.

Now, may it please your worship, having given you a full and true account of the whole affair, seeing the fortune of a young man depends

upon this small thing, either perpetual ruin or a fair and happy way to future advancement, pray give me leave to beg of you, which I most humbly and submissively do, that you would please instantly to repair to his honour, Sir Joseph, and acquaint him that I am so far from printing anything from Milton's now, that I have followed his honour's advice, and, upon due pensitation with myself, have nulled and made void my contract with Elsevier at Amsterdam, have returned my copies to myself, and am ready to dispose of them where his honour pleases, either into the hands of my Lord Jenkyns, or into his own for better satisfaction; and am so far from ever procuring a line from Milton [to be] printed, that if his honour pleases he shall command my copies and all my other papers to the fire. And, though I happened to be acquainted with Milton in his life time (which out of mere love to learning I procured, and no other concerns ever passed betwixt us but a great desire and ambition of some of his learning,) I am, and ever was, so far from being in the least tainted with any of his principles, that I may boldly say none has a greater honour and loyalty for his Majesty, more veneration for the Church of England, and love for his country, than I have. Once more, I beg your worship, and with tears instead of ink that might supply my pen, I implore that you would prevail with Sir Joseph to write another letter to my Lord Jenkyns and to Mr. Chudleigh, and to recall his former, which I am sure his honour wrote merely out of jealousy that I would proceed, notwithstanding his advice, in the printing of my papers, which you see, Sir, how far I am from.

Though my Lord Jenkyns, Mr. Chudleigh, and I do imagine Sir Joseph will be soon pacified when he hears this, yet, considering how great a ruin is likely to befall me if his honour is not graciously pleased to recall his former letter, I can't but with all the utmost repeated petitions imaginable, nay, with as much earnestness as ever condemned man begged a reprieve, intreat your worship to immediately intercede for me, and clear Sir Joseph his suspicion of me; not that ever I could have imagined that, after so much access and favour his honour was pleased to afford me after my delivering up my papers to his perusal, his thanks, and multitude of kind expressions to me, his honour would have been so contrary to his candid and favourable disposition to all lovers of learning and good literature, as to prejudice me so much, nay, as utterly to ruin and undo me, if he

is not pleased by your kind persuasions graciously to recall his former letter.

And lest I should leave any stone unturned, I have penned out a letter to his honour myself, wherein I have humbly and with great submission cleared myself. Likewise Elsevier, the printer, has written to him by this post.* Here, at Rotterdam, I shall stay till his honour is pleased to send to my Lord Jenkyns; which I pray your worship may be the next post after the receipt of this letter, which is next Friday, which will arrive at Nimeguen the Tuesday † after, God willing, when I shall be sent for from hence, and be received under Mr. Chudleigh, with all imaginable kindness, as soon as Sir Joseph's letter arrives; my Lord Jenkyns being mightily inclined towards me upon your worship's kind letter of me some time since, which character I will study day and night to make good; Mr. Chudleigh being also wonderfully kind to me upon the same account; who hope as much as I do, and they don't question it, but that this little storm will blow over.

Thus, Sir, wholly and entirely owing the rise of my fortune to your good self, I shall be here, at Nimeguen, in a fair prospect of making myself for ever; and, though the place is but small at present, yet as an introduction into business, and a step to rise upon, I heartily embrace it, where I intend to have your worship's excessive kindness recorded for ever in my breast, and hope that time will give me an opportunity to make some great acknowledgment of your never-to-be forgotten favours.

For ever intending to pronounce and esteem you just no otherwise than the great author of my happiness, the good patron of my felicity, and in this, what I beg now, the only preserver of my life and fortune, I beg leave to subscribe myself,

Sir, your worship's entirely devoted

and most humble servant,

DANIEL SKINNER.

Sir,—The first fruits of diligence and industry, as soon as I can compass ten pounds (which I hope won't be long) shall be tendered to you with the

* See *ante*, p. 31.

† This shows that the ordinary time for the post to travel from London to Holland was four days, and that it was weekly, as in the time of Charles I. See the return of the Post-master-General, De Questor, in the S. P. O. Domestic Corresp. 1628.

gratefullest heart in the world; hoping that you will be so gracious as to seal my pardon for my presumption in daring to borrow it.

And if your worship will be so pleased as but to second your first character of me, in another letter to my Lord Jenkyns, I shall ever impute my very life your own; and desire to live upon no other account than to serve you. Time would not permit me to use another style, for fear I should not have opened my breast to you so fully; though from Nimeguen I intend now and then, if your worship will give me leave, to salute you in Latin, and be continually sending you a multitude of thanks.

I humbly beg your worship to send me but a word or two from your pen the very next post after this letter's reception, and some comfort in having prevailed with his honour Sir Joseph Williamson, for I am here just a person without a soul, and shall continue so till you are pleased, by a word or two, to infuse one into me.

Your worship may please to direct it to me at one Mr. Shepherd's house, a merchant in Rotterdam; and, if you please, one line of recommendation to my Lord Jenkyns, that I may, at my return, deliver it with my own hands. And your humble Petitioner shall ever pray, &c.

It is probable that Skinner did not deliver these MSS. to Williamson, notwithstanding his promise in the preceding letter, till after his return from Italy, for amongst the Domestic Papers in the State Paper Office, under the date 13th Feb. 1677, we find a copy of the following order from Dr. Isaac Barrow, Master of Trinity College, of which Skinner was scholar.*

SIR,

By order of a meeting you are enjoined immediately, without delay upon y^e receiving this, to repair hither to y^e College, no further allowance to discontinue being granted to you. This you are to doe upon penalty of y^e Statute, which is expulsion from y^e College, if you disobey.

We doe also warn you, that if you shall publish any writing mischievous to y^e Church or State, you will thence incurre a forfeiture of your interest here.

* Mr. Todd has shown that Daniel Skinner had been educated in Westminster School, which he left for the University in 1670.

I hope God will give you y^e wisdom and grace to take warning, so I
rest, Your loving friend,

(Signed) ISAAC BARROW.

Trin. Coll. Feb. 13, 1676-7.

(Directed)

For Mr. Daniel Skinner.

This admonition from the Principal of his College was inclosed in the following letter, "To my reverend friend Mr. George Seignior, at Ely-House, in Holborne, London," which gives a lively insight into the character of young Skinner.

DEARE SIR,—

I doe heartily thank you for your care of my concerns, and of the College interest. I am sorry for the miscarriages of that wild young man, to whom I have written the enclosed, which you may please to seale and send. I have since received another letter from Harris, complaining that I doe not return any answer to his letters, yet without direction whither I should send; I should be glad, if you should chance to meet him and informe him. We have no news; therefore, with my best wishes, I rest

Your very affectionate friend and servant,

(Signed) ISAAC BARROW.

Feb. 13, 1676-7.

P.S. Please to present my humble duty to my Lord Bishop of Ely.

I suppose you sometimes see Mr. Dove; when you doe I pray give him my hearty love and service, and tell him that I shall not (I think) be at London untill my waiting time in April.

After the delivery of this summons at Paris by Mr. Perwick,* the latter wrote to Bridgeman—

SIR,—

I have delivered Dr. Barrow's letter to Mr. Skinner before witness, as you desired. I found him much supried, and yet at the same time slighting any constraining orders from the superior of his college, or any benefit he expected thence; but as to Milton's workes he intended to

* Dr. Sumner's Introduction to Milton's Treatise De Doctrinâ Christianâ, p. xi.

have printed (though he saith that part which he had in MS. are noe way to be objected against, either with regard to royalty or government), he hath desisted from causing them to be printed, having left them in Holland; and that he intends, notwithstanding the college summons, to goe for Italy this summer.

His stay on the continent, however, was not of long duration, for in May, 1679, we again find him in England, when he was promoted to a senior fellowship in his college, as appears from the entry on the College Register of, "May 23, 1679. Daniel Skinner juratus et admissus in socium majorem." Upon which Dr. Sumner observes,* "From the unusual interval between the first and second admission, which ordinarily does not exceed a year and a half, as well as from the day, May 23, the regular day for the admission of major fellows being in July, it is evident his advance to the latter rank took place under some extraordinary circumstances;" probably the intervention of Williamson in his behalf, as a reward for his having deposited Milton's unpublished works in his hands, whence they came into the State Paper Office, as previously shewn.

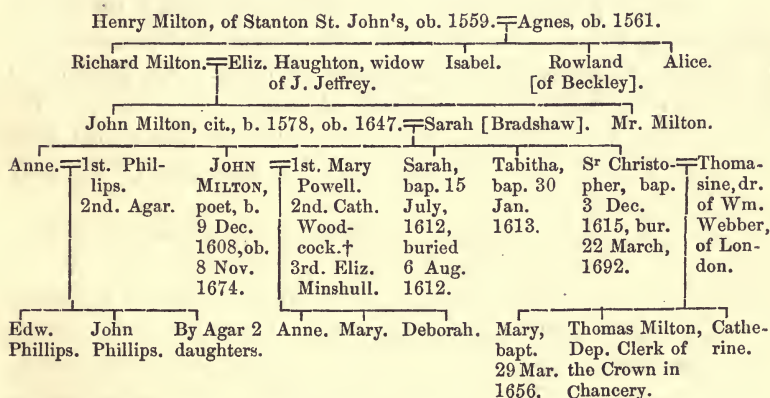
Next to the interest we feel in the works of a great man is the wish we involuntarily have to make acquaintance with his friends, and to be admitted more intimately into the modes of his every-day life and thought. Although scarcely to be expected that in a public collection of official documents like those preserved in the State Paper Office many facts should be found illustrative of the personal history of an individual, yet several letters occur which clear up long-existing doubts in the biography of the great poet.

Milton's father, as is well known, was John Milton, scrivener, of Bread Street; but, owing to his grandfather's name being unknown, his descent from the Miltons of Stanton St. John's, in Oxfordshire, has always been a matter of doubt, notwithstanding the researches of Mr. Hunter had rendered it extremely probable that his grandfather was Richard Milton, who was assessed to the Subsidy Rolls, 19 Eliz.; fined 60*l.* for recusancy, 43 Eliz.; and again 60*l.* on the

* De Doctrinâ Christianâ, Pref. p. xiv.

13th of July, 1601. This ingenious conjecture has been entirely confirmed by the discovery of an entry on the records of the Scriveners' Company, which records the apprenticeship of John Milton, senior, 27th of February, 1599: "John Milton, son of Richd. Milton, of Stanston (*sic*), co. Oxon, and late apprentice to James Colbron,* citizen, and writer of the Court Letter of London (scrivener), was admitted to the freedom of the Company."

On the authority of this document, we may rely on the following being a tolerably correct genealogy of Milton's family:—



It is not I believe previously known that a branch of the family of Bradshaw, to which family the poet's mother belonged, was ever resident in Oxfordshire, but such appears to have been the fact, for in the Subsidy Returns of 12 Eliz. in the State Paper Office,‡ Jane Bradshawe, widow, is returned as capable of contributing 50*l.* upon

* James Colbron was not admitted to the freedom of the Scriveners' Company till 1st April, 1595, so that Mr. Clarke suggests that Milton could not have been originally apprenticed to him, but must have been a "turnover."

† There is a letter of Samuel Woodcock, bearing date 21 Feb. 1677, amongst the Conway Papers lately transmitted to the State Paper Office; but, as it is dated from Alcester, in Warwickshire, I have not been able to ascertain whether he were of the same family as Captain Woodcock, of Hackney, whose daughter Milton married as his second wife.

‡ Dom. Series, vol. lxvii. No. 75.

Privy Seal. It was, perhaps, through this contiguity of the families that John Milton, senior, became acquainted with Sarah Bradshaw,* who is supposed to have brought him sufficient funds to commence business on his own account at the early age of 22. This suggestion seems to be strengthened by the fact that the arms of the Bradshaws of Lancashire differ in some respects from the sketch of Milton's mother's arms left us by Aubrey. She may, therefore, have belonged to the cadet-branch of the family settled in Oxfordshire.

I had hoped that a search in Doctors' Commons might have cleared up this point, but there was neither to be found the will of John Milton, scrivener, nor that of the grandfather, Richard, although they both died possessed of considerable property. Mr. Masson has discovered the will of Henry Milton, of Stanton St. John's, in the Bishop's Registry at Oxford, which shews that the family had long been settled in the same neighbourhood, but were then (1559) only in humble circumstances.

Although it does not appear that Milton's father was ever elected on the court of the Scriveners' Company, or served in the office of warden, his name not occurring on the Rolls,† there is abundant evidence that he acquired a good practice, and succeeded in putting by a comfortable fortune, on which he retired to Colnebrooke, in Buckinghamshire. There are several examples of his conveyancing extant, two in the British Museum (MS. Lansdowne 241) first cited by Mr. Hunter,‡ and one in the State Paper Office,§ being an Indenture, bearing date 1623, of contract of title to houses, lands, &c. in Fishtoft, Friston, and Boston, co. Lincoln, sold by Edward Copping of Kirklington, co. Notts, to Ambrose and Robert Randolph

* There is some doubt as to the maiden name of Milton's mother : Wood (*Fasti Oxon.* i. 262) who acquired his information from Aubrey, the friend and biographer of Milton, says she was Sarah Bradshaw; Peck says, the family name was Haughton; but this is clearly a mistake for his grandmother; and Phillips in his life of Milton says, "She was a Caston, of a genteel family, derived originally from Wales."

† For this information I am indebted to the researches of Mr. Hyde Clarke.

‡ Milton Gleanings, No. iii. p. 10.

§ Domestic Series, James I. vol. cxlv. No. 36.

of London. The delivery of this deed is attested by the apprentices or clerks of John Milton, scrivener:

“Sealed and delivered in the presence of THOS. BOWER,
JOHN HUTTON, servants to JOHN MILTON, scr.”

The poet being by this time about fifteen years of age, was sent by his father to Paul's School, of which Dr. Gil was then head master, a man as eminent for his devotion to the reformed religion as for his classical attainments. To his instruction, and to the example of his son, Alexander Gil, who was an elegant composer of Latin verses, we may imagine Milton's proficiency in the Latin tongue to be mainly due. He was sent, when seventeen years of age, to Christ's college, Cambridge, where he formed several literary friendships, and composed most of his minor pieces, which were written in Latin, and divided into three sets, *Elegiarum Liber*, *Sylvarum Liber*, *Epigrammatum Liber*, besides fifteen of the miscellaneous poems now found in all the editions of his English works, as well as the beautiful sonnet, on his having arrived at the age of twenty-three, which was written in December, 1631. Amongst the miscellaneous pieces, are two addressed to Charles Diodati, the son of the eminent physician, Theodore Diodati, who was in professional attendance on the heir apparent, Prince Henry, and his sister, the Princess Elizabeth, afterwards Queen of Bohemia. An application of his, when a young man, for the post of Physician to the Tower, is preserved in the State Paper Office : *

Le Sieur Theodore Diodati, Docteur en Medecine, approuvé du College de Londres, desire tres humblement qu'il plaise a sa Majesté de luy octroyer la place de Medecin de la Tour de quoy il a le consentement du Gouverneur de la Tour, et Monsieur de Mayerne satisfaira sa Majesté des qualitez du personnage.

But this preferment was conferred upon Dr. Allen, as we learn from the report made to the King by Viscount Conway, President of the Council, and William Earl of Pembroke, who were commis-

* S. P. O. Dom. Papers (1628 ?)

sioned to report on the right of appointment, whether it were invested in the Lieutenant of the Tower:

May it please your most excellent Majestie, Accordinge to your Majesties gracious commandement wee have examined the complaynt hereunto annexed, and for our better information and your Majesty's satisfaction wee have hearde what colde be saied on bothe sides. And wee finde that uppon the decease of Doctor Gwynne, whose laste served in that place, and was appoynted by his late Majestie of ever blessed memorie, your Majestie was pleased, upon information of the sufficiency of the petitioner, Doctor Allen, and at the humble suite of the wydowe of Doctor Guin, to commande him to be sworne and admitted unto that place, which was accordingly don, by order from the Lorde Chamberlein of your Majesty's househoulde. But, the Lieutenante of the Tower beinge absent, his deputie, pretendinge the disposinge of that place to belonge properlie to the Lieutenaunte, did sweare and admitt Doctor Deodate to the same, whome since the Lieutenante hathe indeavored to mainteine in his owne righte: In defence whereof wee have heard all that he had to alleage, but do not finde any thinge by custome or righte to give him the choice and nomination of the Doctor of the Tower, but that he is to be appoynted by your Majestie; neither is their any coulour for the Lieutenant's swearinge a doctor of himself, for, thoughhe it may be admitted that he may recomende a doctor to supply the place, yet by the order of your Majesty's house he ought to be sworne by the Lorde Chamberlein, and not otherwise, and therefore wee are cleerely of opinion that Doctor Allen is duely appoynted, and ought to be admitted to the exercise of the place, and to enjoy all the rights and benefitts belonginge to the same, without further question or delay. The orderinge whereof wee most humbly submitt to your Majesty's gracious will and good pleasure.

CONWEY. PEMBROOKE.

Januarie 29, 1628-9.

A copie of the certificate made unto his majestie after hearinge of the complainte by the Lords.

We next find Milton, having returned from his tour in Italy, where he had been introduced to most of the eminent men of his day, called upon by the Government of the Republic to discharge

the important office of Secretary for Foreign Tongues, for which his previous studies had so eminently qualified him. In this capacity he was entrusted with the arranging and locating of the Commonwealth papers in the State Paper Office, as appears from the entry in the Order Book of the Council of State, dated Feb. 2, 1649-50, where it is directed "that orders be sent to Mr. Baker, Mr. Challener, Mr. Weekherlyn, Mr. Willingham, or any others who have in their hands any publick papers belonging to the Commonwealth, to deliver them to Mr. Milton, to be laid up in the Paper Office for Publick Service; and that Mr. Baker be appoynted to order those papers that they may be ready for use." A letter was accordingly transmitted to each of the above-mentioned persons in the following form:

"SIR,—We are informed that there are several letters and other papers of public concernment that are in your hands, which wee have thought fitt should be brought into the Paper Office at Whitehall, both for the safe keeping of them, and that they might be ready for public use upon all occasions. Wee therefore desire you to deliver all the said papers to Mr. Milton, whom wee have appointed to receive the same, and see them safely and orderly disposed in the said office. Signed in the name and by the order of the Councell of State, &c.

"JO. BRADSHAWE, President.

"Whitehall, 4 Feb. 1649-50."

"This copy directed to Mr. Willingham."

Amongst these papers were included the books of the parliamentary committees for compounding with recusants for their estates, and it is from these that the following particulars relative to Milton's family are drawn. After the capitulation of Oxford, Milton's father-in-law, Richard Powell,* of Forest Hill, and a justice

* The wife of Richard Powell was Anne Moulton, daughter of Robert Moulton, of Honyborne, in the county of Worcester, gentleman, by Mary his wife, daughter of Richard Archdale of Whatley, in the neighbourhood of Shotover. This appears in the Visitation of London, 1634, where her four brothers, John, Abraham, Cyprian, and Vigil Archdale are mentioned.

of the peace for the county of Oxford, was fined as a delinquent in the sum of 180*l.* and his property sequestered, as we learn from an entry in the Order Book of the 23rd Dec. 1646: "Richd. Powell, of Forest Hill, in the county of Oxford, esq. 180*l.* at $\frac{1}{10}$." His house had already been seized by the parliamentary forces, but, as he was included in the Articles of Oxford, he was allowed to avail himself of their provisions, and, coming to London, he sought the aid of his son-in-law to recover as much of his property as was left, the greater part having been spent in the King's service, and much of the remainder wasted by the parliamentary soldiers or confiscated by the Government,* his loss during the Civil War being estimated at 3,000*l.*, and his liabilities, by statutes and bonds, at 1,500*l.* of which 500*l.* was due to Milton for money advanced, as appears by Mr. Brereton's report made to the Composition Commissioners:†

"According to your order of the 25th of February, 1650, upon the petition of John Milton, desiring to compound for certaine lands lately belonging to Richard Powell, gent. deceased, extended by the petitioner, who alleadgeth in his petition that he petitioned here to the same purpose about the middle of August last. I have examined, and find: The 11th of June, 1627, Richard Powell, of Forrest Hill, in the county of Oxford, gent. and William Hearne, of London, citizen and goldsmith, acknowledged a statute-staple of 500*l.* unto John Milton, the petitioner, defeazanced by John Milton the petitioner's father, on the behalfe of the petitioner, upon payment of 312*l.* the 12th of December then next ensuing, as by a copie of the said statute deposed by Thomas Gardner, and by the counterpart of the defeazance produced by the petitioner, appeares, since which the said Richard Powell and William Hearne are both dead, as is informed.

"The 5th of August, 1647, the sheriffe of the county of Oxford, upon an inquisition taken upon the said statute, did seise into the King's hand certaine messuages, lands, and tithes, in Whateley, whereof the said Richard Powell in his life was seised in his demesne

* See Appendix, Nos. xxix. and xlv.

† Royalist Composition Papers, First Series, vol. xli. p. 923 (Todd, p. 82).

as of fee; a third part wherof Anne his wife [claims] for life as her dower, of the cleare yearly value of 58*l.* 3*s.* 4*d.* The which messuages and premisses the said sheriffe, by virtue of a liberate, did the 20th of November, 1647, deliver unto the petitioner, to hold unto him and his assignees as his frank tenement untill he were satisfied his said debt of 500*l.*, with damages, costs, and charges. As by a copie of the liberate, and the execution thereof deposed by the said Thomas Gardner, appeares. And the petitioner deposeth, that, since the extending the said statute, he hath received at severall tymes for the same, and costs of suit, the summe of 180*l.* or thereabouts; and that there is yet remaining due and owing unto him of the principall money, interest, and costs of suit, the summe of 300*l.* or thereabouts; and further deposeth, that neither he nor any other for him or by his direction, privity, or consent, hath released or otherwise discharged the said statute; and that he doth not know or conceive any reason, either in law or equity, why he should not receive the said remainder of his debt, damages, and costs of suit.

“ And the petitioner, by a particular under his hand, saith, that the said tithes and lands extended by him, and whereof the said Richard Powell was seised in his demesne as of fee, and for which he desireth to compound, are of the cleare yearly value of 80*l.*; and he craves to be allowed 26*l.* 13*s.* 4*d.* per annum, during the life of Anne Powell, the relict of the said Richard, being a third part of the said 80*l.* for her dower.

“ And he craves alsoe to be allowed his said debt of 300*l.* All which is submitted to judgement.

(Signed)

“ PET. BRERETON.

“ 4 Mar. 1650-1.”

This document is particularly valuable as shewing the connexion of the poet with the Powell family so far back as the year 1627, when Mary Powell must have been only a child, a circumstance at variance with the received accounts of Milton's courtship, which represent him as having made his choice at first sight: “ He took a journey,” says his nephew Phillips, “ into the country, nobody about

him certainly knowing the reason, or that it was more than a journey of recreation; after a month's stay, home he returns a married man that went out a bachelor; his wife being Mary, the eldest daughter of Mr. Richard Powell, then a justice of peace, of Forest-hill, near Shotover, in Oxfordshire." Phillips's account is followed by all Milton's subsequent biographers. It seems more probable, however, as the connection between the two families can be traced to the year 1627, that a previous understanding existed, by which Milton was acknowledged the accepted lover, but that political considerations had prevented the more intimate friendship of the two families until the time of the marriage.

If this explanation be admitted, it accounts for the apparently unwise choice made by Milton, for which he has been so frequently blamed, of marrying the daughter of a Royalist, who could have had few sympathies in common with her husband, and who for want of the jovial laugh and the joyous dance deserted his house six weeks after her marriage.

This view likewise harmonises with his subsequent conduct towards the Powell family, whom, when driven by stress of circumstances from their ancestral mansion, he received into his own house, and did all that lay in his power to shield them from the persecution of a triumphant party, which, however moderate in its proscriptions, could not but look with distrust on the once staunch supporters of the royal cause. It was probably at Milton's suggestion that his father-in-law took the oath of the national covenant before William Barton, minister of John Zacharius, London, and was admitted to compound for his estate, which was that of a gentleman of good quality, as appears by the inventory of his goods, printed in Appendix, Nos. III. and XXVI. He, however, survived his misfortunes only a few months, dying at the house of his son-in-law, Milton, on or about the 1st of January, 1646-7.

"Anne Powell,* the widdowe of Richard Powell, of Forresthill, in the county of Oxon, Esquire, maketh oath, that the said Richard

* Comp. Papers, First Series, vol. 1. p. 547. Todd, p. 88.

Powell, her late husband, died neere the first day of January, in the yeare of our Lord One thousand sixe hundred fowrtie-sixe, at the howse of Mr. John Milton, scituate in Barbican, London.

(Signed) "ANNE POWELL."

"Jur. cor. Com^{is}."

"27 Feb., 1650-1, R. M."

Owing to the incumbered state of Mr. Powell's property at the time of his decease * great difficulty was found in the distribution of his effects, and family dissensions arose. His widow, Anne, who had brought him at least 3,000*l.* at her marriage, naturally looked for some adequate provision for her maintenance, and blamed Milton for being too hard with her in withholding her thirds, which she claimed to be payable out of the portion of the real estate made over to him by the Commissioners in satisfaction for his debt of 500*l.*, and for which he had paid as fine 130*l.* into the Exchequer. The exact bearing of the case will be best explained by the petition of John Milton himself, which is preserved amongst the Composition Papers:

25 FEB. 1650-1.

To the Honourable † the Commissioners for Sequestration at
Haberdashers' Hall.

The Petition of John Milton,

Sheweth,

That he being to compound by the late Act for certaine land at Whately, in Oxfordshire, belonging to Mr. Richard Powell, late of Forest-hill, in the same county, by reason of an extent which he hath upon the said lands by a statute, did put in his Petition about the middle of August last, which was referrd accordingly; but having had important business ever since, by order of the Councill of State, he hath had no time to proceed in the perfeting of his composition; and in the mean time finds that order hath bin giv'n out from hence to forbid his tenants to pay him rent; he therefore now desires he may have all convenient

* In the Receiver General's Report for the county of Oxford, ending at Michaelmas, 1649, it is returned, that three years and a half of Mr. Powell's rent of 100*l.* to the King was then due and unpaid; it is ordered, therefore, that process should issue against his heirs. (Hunter, Critical and Hist. Tracts, No. III.)

† Royalist Composition Papers, First Series, vol. xli. p. 925.

dispatch, and that the order of sequestering may be recalld, and that the composition may be moderated as much as may bee, in regard that Mrs. Powell, the widow of the said Mr. Richard Powell, hath her cause depending before the commissioners in the Painted Chamber for breach of articles, who have adjudg'd her satisfaction to be made for the great damage don her by seizing and selling the personall estate divers days after the articles were seald. But by reason of the expiring of that court she hath receivd as yet no satisfaction, and beside she hath her thirds out of that land which was not considerd when her husband followd his composition, and lastly the taxes, free quartering, and finding of armes, were not then considered, which have bin since very great and are likely to be greater.

And your petitioner shall be ready to pay what shall be thought reasonable at any day that shall be appointed.

(Signed) JOHN MILTON.

25 Feb. 1650-1.

Mr. Brereton is desired by the Commissioners to perfect his report in Mr. Milton's case by Tuesday next.

A. S. E. W.

In the margin, in Milton's own hand—

"I doe swear that this debt for which I am to compound according to my petition is a true and real debt, as will appear upon record.

" JOHN MILTON."

"Jur. 25 Feb. 1650-1."

On the other hand, the petition of Anne Powell reflects so severely on the conduct of Milton, that I insert it also, more especially as Todd has wrongly attributed the notes which were written on the blank flyleaf of this petition to a former petition of the 19th April, 1651, * thus materially affecting the bearing of the whole case.

"To the Honourable the Commissioners for Compounding, &c.†

"The humble Petition of Anne Powell, widow, the relict of Richard Powell, of Forrest hill, in the county of Oxon, deceased,

"Sheweth,

"That the petitioner brought 3000*l.* portion to her late husband, and is now left in a most sadd condition, the estate left being

* See Appendix, No. xxxvii.

† Composition Papers, First Series, vol. i. p. 597.

but 80*l.* per annum, the thirds whereof is but 26*l.* 13*s.* 4*d.*, to maintaine herselfe and 8 children.

"The said estate being extended by Jo. Milton on a statute staple for a debt of 300*l.* for which he hath compounded with your honours on the Act of the first of August, and therein allowance given him for the petitioner's thirds,* yet the said Mr. Milton expects your further order therein before he will pay the same.

"She therefore humbly prayeth your honour's order and direction to the said Mr. Milton for the payment of her said thirds, and the arreares thereof to preserve her and her children from starving.

"And, as in duty bound, &c.

ANNE POWELL.

"To be read next petition day, July the 14th, 1651. S.M.

"16 July, 1651."

On the fly-leaf of this petition are the following notes :

"Mrs. Powell,—By the law she might recover her thirds without doubt, but she is so extreame poore she hath not wherewithall to prosecute, and besides, Mr. Milton is a harsh and chollericke man, and married Mrs. Powell's daughter, who would be undone if any such course were taken against him by Mrs. Powell, he having turned away his wife heretofore for a long space upon some other occasion.†

"This note ensuing Mr. Milton writ, whereof this is a copy.

"Although I have compounded for my extant, and shalbe so much the longer in receiving my debt, yet at the request of Mrs. Powell in regard of her present necessitys I am contented as farre as belongs to my consent to allow her the 3rds of what I receive from the estate, if the Commissioners shall so order it, that what I allow her may not be reckoned upon my accompt.

"*In the margin*, Mrs. Powell's Note, 16 July, 1651.

"The estate is wholly extended, and a saving as to the 3ds

* This is denied by the Commissioners, who say the thirds were "prayed, but not granted."

† "a small occasion" had previously been written, but crossed through.

prayed but not granted, we cannot therefore allow the 3rds to the petitioner."

The refusal of the Commissioners to acknowledge the claim of Mrs. Powell to her thirds places the conduct of Milton in a far different light, and shows the asperity of feeling displayed by his mother-in-law, who, so far from having cause to accuse him of withholding her just right, had apparently been receiving the thirds to which she was not entitled by the decision of the Commissioners. It was only when she demanded them as a legal right that Milton refused to pay them,* and then he generously offered that if the Commissioners would order that what he allowed her might not be reckoned upon his account, he would continue to pay them, although by so doing the period for the repayment of his debt would be considerably extended. Nor was this a new encroachment of the Commissioners for the purpose of favouring Milton, for, by referring to the former petition of Ann Powell of the 19th April, 1651,† it will be seen that they then refused to acknowledge her claim, but left her to the law; it might be further argued that, even if Milton had given up his claim entirely, Mrs. Powell would probably have been none the better off for it, as there were several other claimants in the field who held mortgages on the estate.‡

The whole charge therefore of Milton being "a harsh and choleric man" falls to the ground, and must be regarded as an ebullition of passion on the part of Mrs. Powell and her partisans, who, so far from desiring "to give no further provocation,"§ seems to have gone as far as possible in alienating the only man who could be of service to her and her children. Had not Milton been naturally of a kind and generous disposition, he could not have forgiven,

* See Petition of John Milton, p. 51.

† Appendix, No. xxxvii.

‡ See Appendix, Nos. xvii. and xviii.

§ Vossius, Heinsius, and all who have left us any account of the life of Milton, agree that he was affable and instructive in conversation, of equal and cheerful temper; and Richardson, recording the words of the poet's youngest daughter Deborah, says, "He was delightful company, the life of the conversation, and that on account of a flow of subject, and an unaffected cheerfulness and civility."

as he evidently did, such an unpardonable onslaught on his character. For a short time after, 15 July, 1653, we find his brother Christopher* acting as counsel in the interest of Mrs. Powell to recover from the Government such redress as she and her family were entitled to. It being the Commissioners, and not Milton, who were really to blame for her distress. Not only had Mr. Powell's goods been seized and made away with by their orders, in violation of law,† which otherwise would have enabled him to have paid his composition, but the fines on his lands were so exorbitant as to be in violation of the Articles of Oxford, and the Court of Articles was consequently obliged to abate the fines, through the able conduct of the suit by Christopher Milton,‡ who recovered so much of their property for the Powells that in 1665 we find Richard Powell, the eldest son and heir, rated to the hearth-tax, as the principal person at Forest Hill.

The other claimant on Powell's property was John Pye, son of Sir Robert Pye, whose claim was so intimately connected with that of Milton that the documents which illustrate the one also throw light upon the other. The report of John Readinge, to whom Pye's petition was referred, shows how the Powell family came into possession of the manor of Forest Hill, and furnishes other curious particulars relative to the income and the sources from which it was derived of Milton's father-in-law.

According to your order of the 13th of August, 1650,§ upon the petition of John Py, Esq. desireing allowance of a mortgage of certaine lands of Richard Powell, Esq. a delinquent, deceased, I finde—

That Edmond Browne, Esq. by Indenture, dated 21 July, 1623, bargained and sold to Richard Powell, Esq. the mannor of Forrest hill, with the appurtenances, in the county of Oxon, with the rectory impropriate, and other lands there, for the tearme of 31 yeares, to commence from the expiration of a former lease thereof for 20 yeares, which did expire the first of November, 1641, for and under the yearly rent of 5*l*.

That the said Richard Powell, by his Indenture, beareing date the

* Appendix, No. LII.

† Appendix, No. XLV.

‡ Appendix, No. LV.

§ Composition Papers, First Series, vol. xlix. p. 517.

30 June, 1640, in consideration of 1,400*l.* therein alleaged to bee paid, did graunt, bargaine, sell, assigne, and sett over to S^r Robert Py, knt. the said mannor of Forrest hill, and other the premisses, for the whole tearme therein then to come and unexpired. Under this proviso, to bee voyd upon payment of the somme of 1,510*l.* the first of July, 1641, as by the said deed now produced under the hand and seale of the said Richard Powell, the sealing and delivery whereof is proved by Richard Sherwyn, gent. And it is deposed by Ann Powell, widow, that for non-payment of the said 1,510*l.* the said S^r Robert Py entred upon the said premisses in May or June, 1646, before any sequestration layd thereupon. That afterwards the said S^r Robert Py, by his Indenture, dated the 3 December, 1647, in consideration of the naturall love and affection which hee bore to the petitioner, being one of his sonns, did graunt, assigne, and sett over the said premisses, and all his estate therein, then to come and unexpired, unto the petitioner, his executors, and assignes.

And I finde by an affidavit of the said S^r Robert Py, here taken, that before the 30 June, 1640, hee redeemed a lease forfeited by Richard Powell, Esq. to George Fursman, by payinge 1,000*l.* to the said Fursman for the said Richard Powell, and that hee lent the said Richard Powell before the tyme above mentioned 300*l.* more in mony, both which sommes, togeather with 100*l.* for consideration, amounted to 1,400*l.*, for security whereof the said Richard Powell did convey by his owne desire unto the deponent the premisses by the deed before mentioned, which debt is still unpaid, and noe act donn by him or any other to his knowledg to release or invallid the said deed.

It appeareth by a perticuler under the petitioner's hand, that the lands which hee holds by vertue of the said mortgage are of the yearly vallue of 272*l.* 15*s.* 8*d.* over and above 20*l.* therein alleaged to bee issuing out of it to the curate, and 5*s.* for cheefe-rent, both which are deposed by the petitioner.

And it is also deposed by the petitioner, that the debt, intrest, and charges oweing to the petitioner upon the said mortgage, over and above all the money which hee hath received, doth amount unto the somme of 1,238*l.* twelve hundred thirty-eight pounds.

And that hee doth not know any thinge to release or invalid the said mortgage in law or equity.

I doe not finde that the said Richard Powell the delinquent is comprised in any exception from composition.

All which, &c.

Jo. READINGE.

1 Jan. 1650-1.

In materials illustrative of the latter part of Milton's life the State Paper Office is less rich. After his retirement from office, on the accession of Charles II. Milton, as is well known, retired into private life, and was included in the Act of Oblivion, but this only extended to his political conduct; in his capacity of author he was arrested, at the command of the Parliament, and placed under the custody of the Serjeant-at-Arms, who detained him for six months, and demanded so exorbitant a sum for his keep that Milton refused to pay it. The cause of his arrest, which has so long remained a mystery, is entirely explained by the entry in the Commons' Journal of 16 June, 1660, which shows that his offence was having written too ably in the Commonwealth cause.

Ordered,* That his Majesty be humbly moved, from this House, that he will please to issue his proclamation for the calling in of the two books written by John Milton; one intituled "*Johannis Miltoni Angli pro Populo Anglicano Defensio contra Claudii Anonymi, alias Salmasii, Defensionem Regiam*;" and the other in answer to a book intituled "*The Portraiture of his Sacred Majesty in his Solitudes and Sufferings*;" and also the book intituled "*The Obstructors of Justice*," written in defence of the traiterous sentence against his said late Majesty, by John Goodwin; and such other books as shall be presented to his Majesty in a schedule from this House; and to order them to be burnt by the hand of the common hangman.

Ordered, That Mr. Attorney General do cause effectual proceedings to be forthwith had, by way of indictment or information, against John Milton, in respect of the two books by him written; the one intituled "*Johannis Miltoni Angli pro Populo Anglicano Defensio contra Claudii Anonymi, alias Salmasii, Defensionem Regiam*;" and the other in answer to a book intituled "*The Portraiture of his Sacred Majesty in his Solitudes and Sufferings*;" and also against John Goodwin, in respect of a book by

* Commons Journal, vol. viii. p. 66. This entry has strangely been overlooked by all Milton's previous biographers.

him written, intituled "The Obstructors of Justice," being in defence of the traiterous sentence against the late King's Majesty.

Resolved, That Mr. Milton, and Mr. John Goodwin, be forthwith sent for, in custody, by the Serjeant-at-Arms attending this House.

This censure of Parliament was followed up by the Privy Council, who directed, 27 June, 1660, that the "Attorney-General* be ordered to prepare a Proclamation in consequence of an Order of the House of Commons relating to books written and published by John Milton."

"Upon consideration this day had in councell of the Order of the House of Commons of the 16th of this inst. June, concerning two scandalous books, written and published by John Milton, viz., one intituled '*Johannis Miltoni Angli pro Populo Anglicano Defensio contra Claudii Anonymi, alias Salmasii, Defensionem Regiam*;' the other in answer to a book intituled '*The Portraiture of his Sacred Majesty in his Solitudes and Sufferings*;' as alsoe another scandalous booke, written by John Goodwyn, intituled '*The Obstructors of Justice*,' written in defence of the trayterous sentence of death given against his said late Majesty: It is ordered by his Majesty that the Atturney-Generall doe forthwith prepare a Proclamation concerning them, according to the desire of the House of Commons expressed in the said Order."

A Proclamation was accordingly issued, and several copies are still in existence, although the great majority have perished, as is usual with such ephemeral productions.

By the King.†

A Proclamation for calling in and suppressing of two books written by John Milton; the one intituled "*Johannis Miltoni Angli pro Populo Anglicano Defensio, contra Claudii Anonymi, alias Salmasii, Defensionem Regiam*;" and the other in answer to a book intituled "*The Pourtraicture of his Sacred Majesty in his Solitude and Sufferings*;" and also a third book intituled "*The Obstructors of Justice*," written by John Goodwin.

CHARLES R. Whereas John Milton, late of Westminster, in the county

* Council Register, Car. II. vol. i. p. 46.

† Coll. Proc. Car. II. p. 14. S. P. O.

of Middlesex, hath published in print two several books, the one intituled "Johannis Miltoni Angli pro Populo Anglicano Defensio, contra Claudii Anonymi, alias Salmasii, Defensionem Regiam;" and the other in answer to a book intituled "The Pourtraicture of his Sacred Majesty in his Solitude and Sufferings." In both which are contained sundry treasonable passages against us and our Government, and most impious endeavors to justify the horrid and unmatched murder of our late dear father, of glorious memory:

And whereas John Goodwin, late of Coleman-street, London, clerk, hath also published in print a book intituled "The Obstructors of Justice," written in defence of the traitorous sentence against his said late Majesty: And whereas the said John Milton and John Goodwin are both fled, or so obscure themselves, that no endeavors used for their apprehension can take effect, whereby they might be brought to legal tryal, and deservedly receive condigne punishment for their treasons and offences:

Now to the end that our good subjects may not be corrupted in their judgments with such wicked and traitorous principles as are dispersed and scattered throughout the before-mentioned books, we, upon the motion of the Commons in Parliament now assembled, doe hereby streightly charge and command all and every person and persons whatsoever, who live in any city, burrough, or town incorporate within this our kingdom of England, the dominion of Wales, and town of Berwick-upon-Tweed, in whose hands any of those books are or hereafter shall be, that they upon pain of our high displeasure and the consequence thereof, do forthwith, upon publication of this our command, or within ten days immediately following, deliver, or cause the same to be delivered, to the mayor, bayliffs, or other chief officer or magistrate, in any of the said cities, burroughs, or towns incorporate, where such person or persons so live; or if living out of any city, burrough, or town incorporate, then to the next justice of peace adjoining to his or their dwelling or place of abode, or if living in either of our universities, then to the Vice-Chancellor of that university where he or they do reside.

And in default of such voluntary delivery, which we do expect in observance of our said command, that then and after the time before limited expired, the said chief magistrate of all and every the said cities, burroughs, or towns incorporate, the justices of the peace in their several

counties, and the vice-chancellors of our said universities respectively, are hereby commanded to seize and take all and every the books aforesaid, in whose hands or possession soever they shall be found, and certify the names of the offenders unto our Privy Council.

And we do hereby also give special charge and command to the said chief magistrates, justices of the peace, and vice-chancellors respectively, that they cause the said books which shall be brought unto any of their hands, or seized or taken as aforesaid, by vertue of this our proclamation, to be delivered to the respective sheriffs of those counties where they respectively live, the first and next assizes that shall after happen, and the said sheriffs are hereby also required, in time of holding such assizes, to cause the same to be publickly burnt by the hand of the common hangman.

And we do further streightly charge and command that no man hereafter presume to print, vend, sell, or disperse any the aforesaid books upon pain of our heavy displeasure, and of such further punishment as for their presumption in that behalf may any way be inflicted upon them by the laws of this realm.

Given at our court at Whitehall, the 13th day of August, in the twelfth year of our reign, 1660.

London, printed by John Bill and Christopher Barker, printers to the King's most excellent Majesty, 1660.

The reason put forth in this proclamation, that Goodwin and Milton, both men of position and property, "are both fled or so obscure themselves, that no endeavours used for their apprehension could take effect," is probably not the true one. Is it not more reasonable to infer that the King as little desired the trouble of prosecuting as they of being prosecuted? His only object in issuing the preceding proclamation was to give satisfaction to the parliament and the courtiers, who were restless for persecutions, and of whose rebuke by the King the following anecdote is related: On one occasion Charles II. being pressed by his courtiers to inflict some signal punishment upon Milton, he inquired what was the position of the individual upon whom they invoked his vengeance—was he not old, blind, and destitute? On receiving an affirmative reply, he

said, he considered that he was sufficiently punished by being reduced to such a condition.

The Commons having satisfied their revenge in ineffectual endeavours to suppress the political writings of Milton, at length, after six months' detention, released him from the custody of the serjeant: "Saturday, December 15, 1660. Ordered, That Mr. Milton, now in custody of the Serjeant-at-Arms attending this House, be forthwith released, paying his fees." On this occasion the King granted him a pardon, as we learn from the general index to the warrant books in the State Paper Office, where, under the date Dec. 1660, the following entry occurs, "Milton, John, pardon," although the pardon itself is wanting, the warrant books for the first year after the Restoration having never been placed in that repository. Armed with this authority, Milton felt himself sufficiently secure to appeal against the extortion of the Serjeant-at-Arms, who himself was summoned to appear before the Committee for Privileges, as appears from an entry in the Commons' Journal under date 17 Dec. 1660.

A complaint* being made, that the Serjeant-at-Arms had demanded excessive fees for the imprisonment of Mr. Milton, Ordered, That it be referred to the Committee for Privileges to examine this business, and to call Mr. Milton and the Serjeant before them; and to determine what is fit to be given the Serjeant for his fees in this case.

How the matter was determined we are not informed, but we may rest satisfied that Milton would not have contended had he not known himself to have right on his side.

Although, under the Commonwealth, Milton filled the important office of Secretary for Foreign Tongues, and received the public thanks of the Government as a benefactor to his country, he had not sufficient interest to shield the other members of his family from political disgrace. His father-in-law's household was broken up and scattered,† and his only brother Christopher, although a counsel of con-

* Commons' Journal, vol. viii. p. 209.

† Capt. William Powell, one of the sons, attained the rank of Captain Lieutenant in the Parliamentary forces under Lieutenant-General Monk, and was killed in Scotland in the service of the Parliament. (See Appendix No. XLIV.)

siderable eminence, who, after the Restoration, was made a judge, and subsequently knighted by James II., was fined and branded with the epithet of "delinquent," as we learn from the following entry:—

"Christopher Milton,* of Reddinge, in the county of Berks, Esq., Councillor at Lawe. His delinquency, that he was a Commissioner for the Kinge under the greate seale of Oxford, for sequestringe the Parliament's freinds of three countyes; and afterwards went to Excester and lived there, and was there at the tyme of the surrender, and is to have the benefitt of those articles, as by the Deputy-Governor's certificate of that place of the 16th of May, 1646, doth appeare. He hath taken the Nationall Covenant before William Barton, minister of John Zacharies, the 20th of April, 1646, and the negative oath heere the 8th August, 1646; he compounds upon a Perticular delivered in under his hand, by which he doth submit to such fine, &c. and by which it doth appeare—

"That he is seized in fee, to him and his heirs in possession, of and in a certaine messuage or tenement scituate in St. Martin's parish, Ludgate, called the signe of the Crosse Keys, and was of the yeerely value before theis troubles, 40*l*. Personall estate he hath none.

"(Signed) WILL. THOMSON,

"25th Aug. 1646,

"JEROM ALEXANDER."

"Fine at 3rd is 200*l*."

The money for payment of the fine however was not forthcoming, and Christopher Milton was returned by the Commissioners as a defaulter: †

"The names of such delinquents who have elapsed their terms for payment of the latter moiety of their fines. Berks. Chr. Milton of Reading."

The Commissioners, not content with the estimate given in by Christopher Milton himself, ‡ instituted a strict inquiry for any other property he might possess in other places besides his house in St. Martin's parish, Ludgate.

* Comp. Papers, Second Series, vol. xiv. p. 193. Todd, p. 257.

† Order Book G. p. 390.

‡ Appendix No. LXIII.

"To the Commissioners for Sequestrations in the county of Suffolk.*

"GENTS.

"We are informed that Mr. Christopher Milton, who had long since a fine set upon him for his delinquency, hath some estate in your county. Wee do not find his Particuler mentions more then an house in London; and therefore we desire you will make some enquiry concerneing him, and certify what shall come to your knowledge, unto yours, &c."

As also one

"To the Commissioners for Sequestrations in the county of Berks,† 18 Feb. 1651-2.

"GENTS.

"We have received three letters from you, all dated the 14th day of Feb. instant. Concerneing Mr. Milton, hee hath compounded onely for an estate in London. But wee sent his name to you in regard hee writt himselfe of Reading, and have sent to Suffolk to enquire if hee have any estate there, &c."

It would seem that Christopher Milton was by no means careful to identify himself with any particular locality, as in addition to the places above mentioned we find him described as belonging, at the same time, both to London and Exeter.

"These are to certifie that Christopher Milton, of London, in the county of Middlesex, Esq. did freely and fully take the Nationall Covenant, and subscribe the same, upon the five and twentieth day of Aprill, 1646. The said covenant being administered unto him, according to order, by me,

"WM. BARTON, minister of John Zecharies, London.

"*Dorso*,—Mr. Christopher Milton took the Oath this 8th of August, 1646. THOS. VINCENT.

"We doe hereby certifie that diverse credible persons, now dwelling in this cittie, have witnessed before us, that Christopher

* S.P.O. Letter Book X. p. 434.

† Ibid. p. 14.

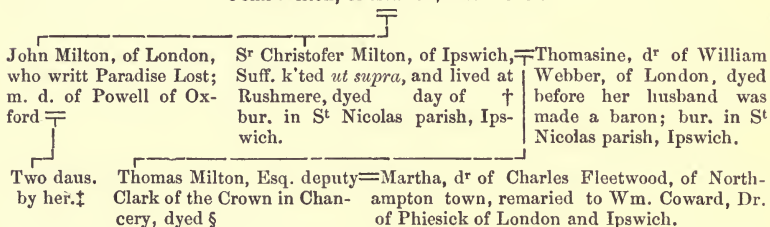
Milton did inhabit in this citty within seaven moneths before the surrender of the same into the hands of his excellency Sir Thomas Fairefax. Given at Exeter, under our hands, this sixteenth day of May, 1646. "J. BURY. ED. WOLFE."

The following contemporary genealogical table occurs in the Harleian MS. 5802 (the Pedigrees of Knights by Peter le Neve, Norroy), and contains some interesting notices of Sir Christopher Milton:—

"Milton. Suffolk. Sr Christofer Milton, of [Ipswich], Suff. one of the barons of the Exchequer, kn'ted at Whitehall 25 Apr. 1686; he was a lawyer in Suff. not a considerable one,* but being a papist was promoted at this time.

[Milton's Discipline of Divorce, where the account is given.]

John Milton, of London, a scrivener.



* In the charter granted by Charles II. to the town of Ipswich, Sir Christopher was constituted the first and new deputy-recorder of it. He also conducted several important suits against the Government during the Commonwealth. "Exchequer Chamber, Westm. Wednesday, the 9th of March, 1652. By the Commissioners appointed for Reliefe upon Articles of Warr. Upon motion of Mr. Milton of counsell with Nicholas Borlase, Esq. plt. in this Court, and upon consideration of the answer of Mr. Samuel Keewich and Mr. Francis Courtney, two of y^e Commissioners for Sequestration," &c. (Composition Papers, First Series, vol. ix. p. 806. See also Appendix No. LV.)

† Sir Christopher Milton was buried in the parish church of St. Nicholas, 22 March, 1692. The baptism of his daughter Mary is entered in the register March 29, 1656. Besides another daughter, Catherine, he appears, from the researches of Professor Masson in the Horton register, to have had an infant son, who was buried March 26, 1639, and a daughter, Sarah, who was baptized Aug. 11, 1640.

‡ Milton had three daughters.

§ The date is left blank, with the following note: "Ask docter Coward about it."

Of Milton's literary friends and contemporaries there are a few papers of interest in the State Paper Office which may be worth preserving. It was whilst at St. Paul's school that Milton first became acquainted with Alexander Gill, son of the head-master, and at that time usher there, who was about eleven years older than himself, and a great proficient in the composition of occasional verses, written as scholars then deemed scholarly, in classical languages and upon classical models, many examples of which have been preserved to us in his beautiful collection of Latin and Greek lyrics published in 1632; but as none of his English pieces are known, I shall here insert one which turned up the other day amongst the Domestic Correspondence in the State Paper Office, entitled "An Elegy dedicated to the eternal memory of the most beautiful and virtuous Lady, Mistress Penelope Noël, daughter to the Lord Viscount Campden," and which, as it was written in the same year in which Milton is believed to have commenced his immortal lyrics, cannot fail to be of interest.

AN ELEGY:

How fast my griefs come on! how thick a shoal
 Of sorrows throng about this frightened soul!
 Was't not enough my dear Amyntas late
 Was taken from me, by too early fate?
 Was't not enough, that on great Sweden's hearse
 My muse, astonish'd, pinned her mournful verse?
 But thou, blest saint, before with careful heed
 My wounds were heal'd, mak'st them afresh to bleed;
 And in my sorrows claimst as large a share,
 As thy rare beauty and thy virtues were!
 But 'tis the hand of heaven, whose doom doth cross
 My dearest hopes, and triumphs in my loss.
 Henceforth (though with regret of heart) I'll strive,
 Where any lives whom I would keep alive,
 To love with less intention, lest I seem
 To plot with Death against myself and them.
 But sure, this was not all, not my desire

Of thy long life did shoot that raging fire
Into thy veins, that burning ague's flame
Which did to ashes bring the goodliest frame
That ever Nature wrought, and did calcine
By too strong chymistry the richest mine
Of Virtue's precious ore. Thine own bright soul,
Inflamed with love divine, did still control
All earthly thoughts, so that thy ague's fire,
Working with that of zeal, did soon conspire
(To make our sorrows and thy wishes even)
Hence to translate a soul allied to heaven.

And yet, since heaven was sure enough at last,
What needest thou t' have made such nimble haste?
How many noble branches first derived
From thy immortal womb might here have thriv'd
To cedars? but thy virgin soul was meant
Home to return as spotless as 'twas sent,
And thy fair corps chose rather to abide
By a cold grandsire's than warm husband's side.
Yet canst thou never die so long as Fame
Hath imp't her wings with record of thy name;
And choice endowments of thy mould and mind
In sad remembrance left with us behind.
Such was the lustre of thy angle hue
That, when thy limbs shall in proportion due
Meet in a better world thy better part,
Thou canst not shine much brighter than thou wert;
So full of mildness were thy words and looks,
They well might serve for church and laymen's books;
Thy mind so pure, thy thoughts so chaste were all,
Thou scarce knew'st sin, but what's original.
Farewell, sweet saint; accept this obsequy
From one whose heart so truly honour'd thee,
That if his small experience or just grief
Wrest not his thoughts to a perverse belief,
Thinks that with thee more of perfection died
Than now doth live in all thy sex beside.

ALEX. GIL.

The gift of poesy was, however, in those times, when the scissors of the censor often clipped the wings of imagination, a dangerous accomplishment. United with a love of politics, it led Milton's friend into a serious encounter with the authorities in 1628;* in which year he wrote a poem condemnatory of the Duke of Buckingham and his influence over the King, a fragment of which, comprising one stanza and part of another, is preserved in the State Paper Office, having probably been seized with his other papers on the occasion of his arrest.

Heavens still preserve him "neyt" I crave;
 Thou wilt be pleased, good God, to save
 My sovereign from a Ganymede,
 Whose whorish breath hath power to lead
 His Majesty which way it list:
 O! let such lips be never kist.
 From a breath so fair excelling,
 Bless my sovereign and his smelling.

And now, just God! I humbly pray,
 That thou wilt take that slime away,
 That keeps my sovereign's eyes from viewing
 The things that will be our undoing.
 Then let him hear, good God! the sounds
 As well of men as of his hounds;
 Give him a tast, and timely too,
 Of what his subjects undergo:
 Give [him] a feeling of their woes,
 And then, no doubt, his royal nose
 Will quickly smell those rascals' savours
 Whose blacky deeds eclipse his favours;
 Though found and scourged for their offences:
 Heavens bless my King and all his senses!

Shortly after the writing of these lines, Gill uttered an unguarded

* See Examination of William Grinkin, M.A. of Jesus Coll. Oxon. in Domestic Correspondence, Car. I. vol. cxviii. No. 77.

expression at Oxford, which brought down on him the unmitigated wrath of Laud, then Bishop of London, who immediately wrote to the King:

"MOST GRACIOUS SOVERAIGNE,—

"I heare present your Majestye with the examination of one Alexander Gill.* I am hartelye sorye I must tell your Majestye he is a devine, since he is voyd as it seemes of all humanitye. Thiss is but his first examination, and not upon oath. When the information came to me against hime, as I could not in dewtye but take present care of the busynes; soe I thought it was fitt to examine hime as privatlye as I might, because y^e speeches ar soe foule against religion, allegiance, your Majesty's person, and mye deare Lord layd bye execrable hands in y^e dust. He hath confessed most of it, the rest I am tolde will be proved. I have committed hime close prisoner, till I receave farther direction from your Majestye, which I humblye desyer your Majestye to signifye bye mye Lord Conwayne, or anye other waye which shall seeme good to your Majestyes wisdomes. I continue mye dailye prayers for your Majestyes health and happines.

"Your Majestyes most humble and fayth-full servant,

"GUIL: LONDON.

"September 6, 1628."

Inclosed in this letter is a memorandum in Bishop Laud's own hand, which is even more interesting than the letter itself, as it introduces us to another branch of the Powell family, Mr. Powell of Hart Hall, and to the celebrated Chillingworth, as a member of the same coterie with Gill, Pickering, and other friends of Milton.

"When Alexander Gill spake those lewd words in Oxford, thear wear present (as I am informed) Mr. Pickeringe and Mr. Craven of Trinitye Colledge, and Mr. Powell of Hart Hall, and after that the words wear repeated and some other added in the hearinge of these

* Those who wish to investigate this matter more fully, will find the Examination of Alexander Gill in the State Paper Office, Domestic Series, Car I. vol. cxvi. No. 56.

persons above named, and one Mr. Shillingworth whome they met in Trinitye College, of which house he likewise is."

This latter was probably the man who gave information to the Government against Gill, for four days later [Sept. 10] we find the following letter from Samuel Fisher to William Pickering, at Trinity College, Oxford:

"Salutem. Newes indeed! Mr. Alexander Gill was on friday, in the afternoon, taken out of his schoole by two purseuants to my Lord of London's, who lieth at Westminster; questioned there of words he spake in our college, from thence comitted to the Gatehouse, and remaines soe close prisoner that neither father nor mother nor freind canne speake with him. Chillingworth is thought to bee his accuser, and I feare had noe other business to London. One of our house for certaine is the man. Chillingworth left mee at the turning to Westminster and made speed thither, which makes mee beleeeve soe. Your brother-in-law is affraide that you may come into the question; I am affraide of myselfe, and at the first hearing of it questioned with myselfe what to doe, either of staying or returning; particulars I cannot learne, this only, that Mr. Gill confest the wordes hee was accused for, which (as I heare) weere these, that the King was a weake man and did ill in suffering the Duke so long. They were sent up in a letter to the Bishop, and out of the letter hee was examined; what will beecome of him or the cause I know not; feare I doe much. Sir Morly and Mr. Deodat* are of my mind, that Chillingworth is the man. Sir Robert Savage was comitted to the Tower on Munday upon wordes spoken, as these, that if Fealton had not killed the Duke he would. Fealton is in the Tower. Other newes I have sent you in print. Remember me to Mr. Vice-President, Mr. Simpson, Mr. Robert, Mr. Hazard Law. Mr. Richardson hath beene in Kent this weeke and more.

"SAM. FISHER.

"Vale, Sept. 10.

* Probably Charles Diodati, on whom Milton wrote the Latin elegy, as he was of the same college with Gill.

"You shall, by the grace of God, heere more on Saturday. I pray see the letter inclosed delivered.

"To his kind freind, Mr. Pickering, at Trinity College, in Oxford, these."

Dorso, in Attorney-General Heath's hand,—"This letter was shewed to Mr. Gill at his examination.

"RO. HEATH. JO. FINCH."

Nor was Pickering's brother-in-law mistaken in his suspicion that his relative might also be implicated,* for within four days after we find the following letter from Accepted Frewen, Vice-Chancellor of Oxford, to the Council:

"MAY IT PLEASE YOUR LORDSHIPS,—

"According to your Lordships' commandement, by your letters of the 10th of this moneth, we did yesterday, being the 13th of the same, repaire unto Trinitye College, in this Universitye, and did there search the chamber, studye, and pockets of Mr. William Pickering, a Mr of Arts and commoner in the sayd college, wherein we found divers libells and letters, of which letters some were written and subscribed by Mr. Alexander Gill, some by other persons, and some not subscribed at all, all of them (both libells and letters), either in their maine scope, or in some clauses of them, touching upon the late Lord Duke of Buckingham, either in the execrable murther committed upon his person, and some passages since, or in some actions of his whilest he lived, all which we send unto your Lordships herewith sealed up, according to your commandement.

"For the letters which are not subscribed Mr. Pickering saith he knoweth not whence they came, nor by whom they are written; but that he is abused in them, and that they were delivered into the college butterye for him, some as coming from London and some out of the countrey. In regard whereof, not having further direction from your Lordships concerning him, we have thought fitt to advise Mr. Doctor Ketile, the president of the college, to enjoyne

* See his Examination, Domestic Correspondence, Car. I. vol. cxvii. No. 73.

the sayd Mr. Pickering not to depart the college till your Lordships' pleasure be further knowen. All which most humbly leaving to the grave wisdom and judgement of your Lordships, we rest

“Your Lordships in all service

“Most humbly to be commanded,

“A. FREWEN, Vicecan. Oxon.

“LAUR. WHITAKER.

“Oxford, 14 September, 1628.”

Endorsed,—“Mr. Whitacker's Letter to the Lords.”

The next document we meet with is the examination of William Grinkin, M.A., of Jesus College, in Oxford, 15 Oct. 1628, who clears himself from having written the letters and verses addressed to Mr. Pickering, and attributes them to Alexander Gill, whom he says dictated them while he wrote, but the paper is not of sufficient interest to require printing.* Eleven days after, Ben Jonson was arrested on a similar charge of writing inflammatory verses, and examined before Attorney-General Heath, when he protested on “his Christianity” that he knew nothing of the verses attributed to him, which were really the production of Zouch Townley.† Yet suspicion seemed to cling to him, as though his connexion with the Gunpowder conspirators was not entirely forgotten, although he had volunteered on that occasion to turn spy himself if a better person could not be found.‡ His examination is so curious that it deserves to be recorded.

* It will be found in Domestic Correspondence, Car. I. vol. cxviii. No. 77.

“Alexander Gill, that was censured this day sennight to lose his ears, &c. being a minister and bachelor of divinity, will, as is thought, for his coat's sake, escape that disgraceful punishment.” (Letter of Mr. Pory to Rev. Joseph Mead, Nov. 14, 1628.)

† Zouch Townley, a minister of rare parts, that should have come into the Star Chamber *ore tenus*, for writing of verses “to his confined friend, Mr. Felton,” is got safe over to the Hague, where some say he will print an apology for the fact. (Letter from Mr. Pory to the Rev. Joseph Mead. Court and Times of Charles I. vol. i. p. 427.)

‡ There is a letter in the State Paper Office, bearing date 8 Nov. 1605, from the poet to the Earl of Salisbury, in which Ben states that he had done his best to procure a fitting person to perform a certain business (to betray the actors in the plot), but many are

"The Examination of Benjamyn Johnson, of Westminster, gent. taken this 26th day of October, 1628, by me Sir Robert Heath, his Majesty's Atturney-Generall.

"The said examinant, beinge asked wheather ever he had seen certeyn verses beginning thus, *Enjoye thy bondage*; and ending thus, *England's rannsome here doth lye*; and entitled thus, *To his confined friend, &c.*;* and the paper of these verses being shewed unto him; He awnswereth, that he hath seen the like verses to these; and beeing asked wher he sawe them, he saith at Sir Robert Cotton's house at Westminster; being further asked uppon what occasion he sawe them at that time, he saith that coming into Sr Robert Cotton's house, as he often doth, the paper of thes verses liing ther uppon the table after dinner, this examinant was asked concerning these verses, as if himself had been the author thereof; thereupon, this examinant redd them and condemned them, and with deep protestations affirmed that they were not made by him, nor did he knowe who made them, or had ever seen or herd them before, and the like protestations he nowe maketh uppon his Christianity and hope of salvation; he saith he took noe copy of them, nor ever had copy of them; he saith he hath herd of them since, but ever with detestation; he being further asked wheather he doth knowe who made, or hath herd who made them, he awnswereth he doth not knowe, but he hath herd by common fame that one Mr. Townlye should make them, but he professeth truly that he cannot name any one singuler person who hath so reported it. Being asked of what quality that Mr. Townly is, he saith his name is Zouch Townlye; he is a scholler and a divine by profession, and a preacher, but wher he liveth or abideth he knoweth not, but he is a student of Christ's Church, in Oxford.†

removed and concealed; some say they must consult the arch-priest; thinks "they are all so enweaved in it as it will make 500 gent. lesse of the religion within this weeke;" offers his own services if a better person cannot be found. Dom. Cal. James I. 1605, vol. i. p. 245.

* Printed in Court and Times of Charles I. vol. i. p. 427.

† He took his degree of Master of Arts on June 14, 1621, and was several times chosen

Being further asked wheather he gave a dagger to the said Mr. Townlye, and uppon what occasion and when, he awnswereth that on a Sunday after this examinant had herd the said Mr. Townly preach at St. Margaret's Church in Westminster, Mr. Townly taking a liking to a dagger with a white haft which this examinant ordinarily wore at his girdle, and was given to this examinant, this examinant gave it to him two nights after, being invited by Mr. Townly to supper, but without any circumstance and without any relation to thes or any other verses, for this examinant is well assured this was soe done before he sawe thes verses, or had herd of them; and this examinant doth not remember that since he hath seen Mr. Townlye.

“ BEN. JONSON.”

Fortunate was it for Milton that the censor was not sufficiently acute to discover under the allegory of a wolf the allusion to Archbishop Laud, who in the *Lycidas* which was published at this very time is clearly warned of his approaching fate,

Besides what the grim wolf with privy paw
Daily devours apace, and nothing fed ;
But that two-handed engine at the door
Stands ready to smite once and smite no more.

Else he would certainly not have experienced more leniency than his contemporaries Gill or Jonson.

There are no doubt other allusions to Milton's literary friendships to be met with amongst the rich and varied collection in the State Paper Office, but these I must leave to the treatment of Professor Masson, whose able work on Milton and his times promises to be a noble monument to the genius of the great poet.

I may here warn the reader that there were several persons of the name of John Milton living at this time who appear to have had no connexion with the poet ; there was a John Milton a man of some position and wealth who was a patentee for the manufacture of saltpetre, a petition of whom is preserved amongst the Domestic Papers deputy orator of the university of Oxford. In 1624 he delivered his famous oration in memory of Camden. See Dr. Thos. Smith, *Life of Camden* ; Wood, *Fasti Oxon.*

of Charles I. (1628),* and as it may be of interest to the curious I have inserted it in the Appendix, No. LXX.

There was also another John Milton who appears as witness to an indenture for sale of Ribbleton Hall in Lancashire; he was examined before the Commissioners the 30th of April, 1655.*

A third John Milton,† in conjunction with James Miles, is sworn to give evidence concerning the conduct of Colonel Popham's soldiers at Shefford some seven years past, Aug. 14, 1649; and a fourth ‡ occurs as member of the Coopers' Company in London, if this be not the same as the saltpetre man.

There was also a Captain John Milton mentioned in one of the Harleian MSS. under date 1634, probably the same who was fined for refusing to join one of the City Companies; and John Milton, junior, who was indicted of high treason in 1647; but to these I have not the references.

There were likewise contemporary two Richard Powells and one Mrs. Anne Powell, besides the father-in-law and mother-in-law of Milton, the one § "Richard Powell of Solihull, in the county of Warwick, yeoman, aged fifty-three years or there about, sworne and examined" in June, 1654, concerning his knowledge of Mrs. Frances Huggesford, whether she were a Papist. The other || a justice of the peace in Middlesex: "Francis Blomer and Richard Powell, Esqrs. justices of peace for the countie of Middlesex, certifie under their hands and seales, that the said Joane Pain the now petitioner, took the oath of abjuration before them the 7th of April, 1651, which certificate is proved by the oath of Edward Andrews, Esq."

Mrs. Anne Powell is mentioned as possessing property in Worcester, as appears from the deposition ¶ of "William Evans of Church Honiborne, in the county of Worcester, laborer, taken upon oath before the committee for the city and county of Worcester, the sixth day of January, 1647, against Richd. Hall, Dr. Roberts, and Mrs. Anne Powell."

* Composition Papers, First Series, vol. xlix. 869.

† Ibid. vol. lxxxiv. p. 337.

§ Composition Papers, First Series, vol. xxvi. pp. 649, 661. ‡ MS. Harl. 4778.

|| Ibid. vol. xlviii. 982.

¶ Ibid. vol. cxi. pp. 513, 515.

APPENDIX.

I.

27 JUNE, 1646.

Sir Thomas Fairfax,* knight, Generall of the Forces raised by the
Parliament.

Suffer the bearer hereof, Mr. Richard Powell, of Forresthill, in the county Oxon', who was in the city and garrison, of Oxford at the surrender thereof, and is to have the full benefit of the Articles agreed unto upon the surrender, quietly and without let or interruption to passe your guards with his servants, horses, armes, goods, and all other necessaries, and to repaire unto London or elsewhere upon his necessary occasions. And in all places where he shall reside, or whereto he shall remove, to be protected from any violence to his person, goods, or estate, according to to the said Articles, and to have full liberty, at any time with in six months, to goe to any convenient port and to transport himselfe, with his servants, goods, and necessaries beyond the seas. And in all other things to enjoy the benefit of the said Articles. Hereunto due obedience is to be given by all persons whom it may concerne, as they will answer the contrary. Given under my hand and seale, the 27th day of June, 1646.

(Signed) T. FAIRFAX.

To all officers and souldiers under my command, and to all others whom it may concerne.

II.

6 AUG. 1646.

To the† hon^{ble} the Committee sitting at Goldsmiths' Hall for
Compositions.

The humble Petition of Richard Powell, of Forrest Hill, in
the county of Oxon'. Esq.

Sheweth,

That your petitioner's estate, for the most parte lying in the King's

* Comp. Papers, Second Series, vol. xxi. 407.

† Ibid. p. 400. Todd, p. 76.

quarters, he did adhere to his Majesty's party against the forces raised by the Parliament in this unnaturall warr, for which his delinquency his estate lyeth under sequestration. He is comprised within those Articles at the surrender of Oxford.

And humbly prayes to be admitted to his composition according to the said Articles.

And he shall pray, &c.

RICHARD POWELL.

Rec^d 6^o Augusti, 1646.

26 November, 1646, referred to the Sub-Committee.

III.

21 Nov. 1646.

A Particular* of the reall and personall Estate of Richard Powell, of Forrest Hill.

He is seised of an estate in fee of the tythes of Whatley, in the parish of Cudsdon, and three yard lands and a halfe there, together with certayne cottages, worth before these times per annum £40 0 0

This is mortgaged to Mr. Ashworth for ninetye-nine yeares for a security of four hundred pownds, as appeares by deed bearing date the 10th of Jann. in the 7th of King Charles.	{	A demyse for 99 years de- feated by a paymente of 400 <i>l</i> . the 30 of Jan. 1642; arrears unpaid.
---	---	--

His personall estate, in corne and houshold-stuffe, amounts too	500 0 0
In timber and wood	400 0 0
In debts upon specialities and otherwise owing to him	100 0 0
He oweth upon a statute to John Mylton	300 0 0
He is indebted more before these times by specialities and otherwise to severall persons, as appeares by affidavit	1,200 0 0
He lost by reason of these warres three thousand powndes.	

This a true particular of the reall and personall estate that he doth

* Compos. Papers, Second Series, vol. xxi. 403, and vol. i. 543. Todd, p. 77.

desire to compound for with this hon^{ble} Committee, wherein he doth submitt himselfe to such fine as they shall impose according to the Articles of Oxford, wherin he is comprized.

RICHARD POWELL.

Rec^d 21 November, 1646.

IV.

4 DEC. 1646.

Richard Powell,* of Forrest Hill, in the county of Oxford, maketh oath that the severall summes of money mentioned to be oweing by him in his Particular annexed to his Petition at Gouldsmys' hall are trulie and reallie oweing by him; and further deposeth that he is the worse in his estate att leaste three thousand pounds, by reason of these warres, and that the aforesaid debtes were by him oweing before the beginning of this Parliament, and are still oweing.

RIC. POWELL.

Jur' 4 die Decembr. 1646.

JOHN PAGE.

V.

4 DEC. 1646.

These are to certifie,† that Richard Powell, of Forrest Hill, in the county of Oxford, Esquire, did freely and fully take the Nationall Covenant, and subscribe the same, uppon the fourth day of December, 1646, the sayd covenant being administred unto him according to order, by me,

WILLIAM BARTON,
Minister of John Zecharies, London.

Probat. est.

Dorso,—Richard Powell, of Forrest Hill, in the county of Oxford, Esq. took the oath this 4th of Decemb. 1646.

THO. VINCENT.

* Compos. Papers, Second Series, vol. xxi. 406. Todd, p. 77.

† Ibid. vol. xxi. 401. Todd, p. 76.

VI.

8 Dec. 1646.

Richard Powell,* of Forrest Hill, in the county of Oxford, Esq.

His delinquency, that he deserted his dwellinge and went to Oxford, and lived there whiles it was a garrison holden for the Kinge against the Parliamente, and was there at the tyme of the surrender, and to have the benefit of those Articles, as by Sir Thos. Fairfax's certificate of the 20 of June, 1646, doth appeare.

He hath taken the Nationall Covenant before William Barton, minister of John Zacharies, the 4th of December, 1646, and the Negative Oath heere the same daye.

He compounds upon a Peticuler delivered in, under his hand, by which he doth submitt to such fine, &c. and by which it doth appeare:

That he is seized in fee to him and his heirs in possession of and in the tythes of Whatley, in the parish of Cudsden, and other lands and tenements there of the yeerely value before theis troubles, 40*l*.

That he is owner and possessed of a personall estate in goods, and there was oweinge unto him in good debts, in all amountinge unto 600*l*.; and there is 400*l*. more in tymber, which is alledged to be questionable.

That he is endebted by statutes and bonds 1,500*l*. He hath lost by reason of theis warrs 3,000*l*.

He craves to be allowed 400*l*. which, by a demise and lease, dated the 30th of January, 1642, of the lands and tenements aforesaid, is secured to be paid unto one Thomas Ashworth, gentleman, and is deposed to be still oweinge.

Fine at 2 yeeres value, 180*l*. (Signed) D. WATKINS.

8 Dec. 1646.

JEROM ALEXANDER.

VII.

16 Nov. 1649.

To the Right Honorable the Commissioners for Breach of Articles.

The humble Petition of Ann Powell, widow, relict of Richard Powell, of Forrest Hill, in the countie of Oxon. Esq.

Humble sheweth,

That your petitioner's late husband was comprised within the Articles of Oxford, and ought to have received the benefit thereof, as appears by his Excellencies certificate.

* Composition Papers, Second Series, vol. xxi, 387. Todd, p. 69.

VIII.

By the Commissioners appointed for Releife upon Artickles, &c. Painted Chamber, Westm^r. *

Veneris, 16^{to} die Novembris, 1649.

Present.

Lord President of the Councell of State.

S^r Henrie Holcroft.

Colonell Rowe.

S^r Nath. Brent.

Colonell Taylor.

Colonell Cooke.

Colonell Whaley.

S^r William Rowe.

Mr. Sadler.

Mr. John Hurst of Councell for the Commonwealth.

Upon readinge the Petition of Ann Powell, widowe, relict of Richard Powell, of Forrest Hill, in the countie of Oxford, Esq. it is ordered that a coppie of her said Petition, attested under the Register's hande of this Court, bee delivered unto the Commissioners for compounding with delinquents, sitting at Gouldsmiths' Hall, whoe are desired to make certificate unto this Court within one moneth from the date of this order, at what tyme the said Richard Powell petitioned to make his composition; and wheyther the wood mentioned in her Petition were expressed in his Perticular delivered in unto them; with what else they shall thinke fitt to incert touchinge the matter of complaint sett downe in the said Petition. Whereupon the Court will proceed further as they shall thinke fitt.

Signed by command of the Commissioners,

TRACY PAUNCFOTE, Reg^r.

Dorso,—Veneris, 16^{to} Novemb. 1649. Mrs. Powell coppie [of] Order to the Commissioners of Gouldsmiths' Hall.

* Compos. Papers, Second Series, vol. xxi. 397. Todd, p. 74.

IX.

14 DEC. 1649.

To the right hono^{ble} the Commissioners for Breach of Artickles.*

The humble Petition of Ann Powell, widdowe, relict of
Richard Powell, of Forrest Hill, in the countie of
Oxon, Esq^r.

Humble sheweth,

That your petitioner's late husband was comprised within the Artickles of Oxford, and ought to have received the benefitt thereof, as appeares by his Excellencies certificate hereunto annexed. That your said petitioner's husband, by the said Artickles, was to have the benefitt of his reall and personall estate for sixe moneths after the rendition of the said cittie, and to enjoye the same for the future, soe as he made his addresses to the committee at Gouldsmiths' Hall, to compound for the same within that tyme. That your petitioner's said husband, accordingly, in August, one thousand sixe hundred fortie-sixe, petitioned the said hono^{ble} committee, and in his Perticular incerted for tymber and wood fower hundred pounds, but before he could perfect the same dyed.

That the hono^{ble} howse of Parliament, upon some misinformation, not taking notice of the said Artickles, did, in July one thowsand sixe hundred fortie-sixe, order the said wood to severall uses, which was there upon, together with the rest of his goods and moveables, seized and carried away by the sequestrators to the committee for Oxon', contrary to the said Artickles. That your petitioner, as executrix to her said husband, is now sued in severall courts of justice at Westminster for manie debts due to diverse persons, and is noe waie able eyther to satisfie the same or provide a scanty subsistance for herselfe and nine children.

She therefore humble prayes that she maie reape that favour which the said Artickles doe affoord her, by restoring to her the said tymber and wood, and other her goods soe taken away, or the value thereof.

And your petitioner shall praie, &c.

ANNE POWELL.

Vera Copia Ex^{ta}, TRACY PAUNCEFOTE, Reg^r.

In margin.—A certificate was made upon this to the Commissioners for Releife upon Articles, 14 Dec. 1649.

* Compos. Papers, Second Series, vol. xxi. 393. Todd, p. 73.

X.

DIE VENERIS,* 14 DECEMBRIS, 1649.

Mr. John Ashe.

Mr. Say.

Mr. Blagrave.

Mr. Trenchard.

Mr. Harby.

Collonel Birche.

MRS. POWELL.

This committee, haveing this day received from the Commissioners appointed for Releife upon Articles a copie of a Petition of Anne Powell, widdow, the relict of Richard Powell, of Forrest Hill, in the county of Oxon, Esq. together with a desire from the said Commissioners that this committee would certifie at what tyme the said Richard Powell petitioned to make his composition, and whether the wood mentioned in her Petition were expressed in the Particuler of the said Richard Powell, delivered in unto this committee, with what else this committee shall thinke fitt to insert touching the matter of complaint sett downe in the said Petition: It is ordered that certificate be accordingly made unto the said Commissioners: That the said Richard Powell did petition this committee to compound upon the Articles of Oxford, the 6th of August, 1646, and that he mentioned in his Particuler upon which his fine was sett tymber and wood to the value of 400*l*. for which he was fined according to the said Articles of Oxon: And that as yet noe part of the said fine hath bin payd, nor any letters granted by this Committee to suspend the sequestration of that estate, or any parte thereof.

XI.

1 JUNE, 1650.

RIGHT HONOURABLE,†

In obedience to the severall orders and letters of the dates ensueing, concerning the persons whose names are incerted, ordered, the 18th day of Aprill, 1650, to bee resequetred for none payment of their severall fines imposed on them by authority of parliament, viz. William Boodle, of Atherbury, who wee returne was long since discharged, by his oath not being worth

* Com. for Compound. Order Book, Ea. 248.

† Commis. for Compound. Letters Received, N. p. 130.

200*l.* &c. Richard Powell (whose supposed) reall estate is possessed by S^r Rob. Pie, seign. who had by the judgment of the late committe of this county a lawfull title therein. The greatest part of the personall estate of the said Powell, by Ordinance of Parliament of the 15th of August, 1646, was given to the church and towne of Banbury; the rest of his the said Powell's estate is nowe in question before the Commissioners for Articles, whether the right thereof bee in the state or noe.

* * * * *

&c. &c. &c.

Your constant and engaged servants,

WILLIAM DRAPER.

THO. APLETREE.

Dedington, this first day of June, 1650.

In margin,—Powell's estate to be secured till the parties make good their titles here.

XII.

MERCURI, 12^o DIE JUNII, 1650.

Painted Chamber, Westminster.

By the Commissioners appointed for Reliefe upon Articles of Warr. *

Upon longe and deliberate debate in the cause depending before this Court betweene Ann Powell, widowe and relict and administratrix of Richard Powell, of Forrest Hill, in the countie of Oxford, esquire, plaintiff, and the late Standinge Comittee of the said countie, defendants, and upon consideration had of the matter of complaint of the said Mrs. Powell, together with the Articles made upon the surrender of the garrison of Oxford, wherein her said husband was included; it appearing unto this Court that the goods and howsehold stuffe for which the said Mrs. Powell praied satisfaction were sould and disposed of by some persons actinge under the authoritie of the said Committee, after confirmation of and contrarie unto the true intent and meaninge of the said Articles, by which her said husband ought to bee restored to his reall and personall estate under or lyable to sequestration, havinge entred his Petition to compound within

* Composition Papers, First Series, vol. I. pp. 527, 549.

the tyme lymitted by the said Articles; it appearinge alsoe by an inventorie produced in Court that the said goods (although of farr greater value) were soe sould for three hundred thirtie-five pounds unto one Matthew Appletree, of London, whoe, together with the sequestrators, subscribed to the said inventorie and sale, and that there is remayninge in his the said Matthew Appletree's hands as purchasor of the said goods the some of ninetie-one pounds eleaven shillings tenn pence, the Court upon the whole matter doe adjudge and declare, That as to such goods and chattles as are yet remayninge in spetie in or about the howse late of the said Richard Powell, or otherwise unsould or undisposed of by the said late Comittee or theire agents, the same shall bee forthwith delivered by the said Comittee or now Commissioners for Sequestrations in the said countie unto the said Mrs. Powell; and the said late Comittee are to bee answerable to her for the rest of the said goods which were by theire order or appointment sold and disposed of contrarie unto the said Articles, to the end the said Mrs. Powell maie bee the better inabled to paie the fine imposed upon her said husband's estate.

Signed by command of the Commissioners,

TR. PAUNCEFOTE, Regt^r.

Dorso,—Mrs. Powell's Order from the Comittee for Reliefe upon Articles.

XIII.

23 AUG. 1650. MRS. POWELL'S PETITION.

To the Honourable Commissioners for Compositions.*

The humble Petition of Ann Powell, late wife of Richard Powell, of Forrest Hill, in the county of Oxon, esq.

Sheweth,

That your petitioner's husband being a delinquent was comprised in the Articles at the surrender of Oxford, upon which said Articles, he having his fine sett, died before the payement thereof; that contrary to the said Articles a greate part of your petitioner's husband's personall estate was

* Composition Papers, First Series, vol. 1. p. 542.

disposed of by the Committee of Oxford, and since, by the Committee of Articles, ordred to be restored unto your petitioner, which said order as yet hath taken noe effect.

That by the late Act concerning statutes, mortgages, and extents, those persons whoe are in possession of any delinquents' estates by virtue thereof are to pay the delinquent's composition for the same.

That your petitioner's said husband was seised of an estate in fee of the tiethes of Whately, and three yard lands and a halfe there, with severall cottages, being of the yeerely value of 40*l.*, which said estate is nowe in the possession of Mr. John Milton, being by him extended for a debt of 300*l.* due about 18 yeares since, and is otherwise charged by deed of the 10th of January, 7 Caroli, with a terme of 99 yeares for the payement of 400*l.* with interest to one Mr. Ashworth, and is also liable to your petitioner's thirds and divers debts upon bond amounting to 1,200*l.*

Your petitioner humbly prayes, in case your honors will have any fine for this estate, that the said charges may be considred, as also the losse susteyned by the said Committee's wrongfull selling of her husband's personall estate, the same being the greatest parte of the estate for which the said fine was imposed.

And your petitioner shall pray.

23 Aug. 1650.

ANNE POWELL.

Referd to Mr. Brereton.

JO. LEECH.

XIV.

22 Aug. 1650.

Upon the Petition of Anne Powell, late wife of Richard Powell, of Forrest Hill, in the county of Oxford, Esq. shewing that the petitioner's said husband, having a fyne sett upon him for his delinquency, dyed before payment thereof made, and having divers great incumbrances charged upon his estate, and the Committee of Oxford disposing of his personall estate, the petitioner desires deductions and abatements accordingly: it is ordered that his case be referred unto Mr. Brereton, who is to make report thereof unto this Committee.

XV.

23 Aug. 1650.

To the Right Honourable Commissioners for compounding
with Delinquents.*

The humble Petition of John Pye, Esq.

Sheweth,

That whereas one Edmund Brome, Esq. by deede, dated Oct. 2, 19 Jac. did demise unto Richard Powell, Esq. the mannor of Forrest Hill, in the county of Oxon, for the terme of 20 yeares, and by an other deede, dated 21 July, 21 Jac. did demise unto the said Richard the same premises for 31 yeares, to commence after the ende of 20 yeares, under the yearly rent of 5*l*.; and whereas the said Richard Powell, by his indenture dated 30 Junii, 16 Car. 1640, for the some of 1,400*l*. paid to him by Sir Robert Pye, Knt. did assigne all his interest in the premisses to the said Sir Robert Pye, uppon condition of redemption uppon payment of the some of 1,510*l*. upon the first of July, 1641, which some was not paid, soe that the said estate became forfeited to the said S^r Robert Pye, and he entered upon the premisses in 1646; and afterwards by indenture, dated Dec. 3*d*, 23 Car. the said S^r Robert assigned his estate and terme unto your petitioner, so as he is wholly interessed therein; and whereas the said Richard Powell, being within the Articles of Oxford, entered his composition at Goldsmiths' Hall, and the fine was imposed according to the said Articles, being so adjudged by the Commissioners for Articles, but is since dead; now, for as much as the said Richard Powell dyed before the composition was perfected, your petitioner humbly prayeth that he may either have his title allowed and made good unto him according to his interest therein (he having the whole estate that the said Richard Powell had therein), forfeited to him before the said Richard Powell's delinquencie—and he entered upon it before any sequestration—or that he may have his debt and damages ratified unto him, according to the Act of Parliament of the first of August last.

And he shall ever pray, &c.

JO. PYE.

Dorso.—Refer^d to Mr. Reading.

Intratur. JO. LEECH.

* Composition Papers, First Series, vol. xlix. p. 521.

XVI.

A true and just Particular of all the Rents payable yearelye to Mr. John Pye, or his assignes, out of the mannour of Forrest Hill, in the countye of Oxon; taken the 24th daye of August, 1650.*

Edmund Mason, for the cheife mansion house, orchards, garden, with the desmesnes and tyths	£160	0	0
———, for Abbott's Wood	31	0	0
Henry Tomlins, for a mill and 3 parcells of ground	23	0	0
George Ball, for two yard land	20	0	0
Richard Willmot, for a pasture ground	7	0	0
John Boys, for a brickill	7	0	0
George Ball, for the Groves and Muches land	1	13	4
The towne rents	43	7	4
Summe totall	£293	0	8

Annuall Reprizas.

Paid to the curate of the towne	20	0	0
To the State	0	2	6
To the mann ^r of Yewelme	0	2	6
The yearelye rents of Forrest Hill ultra ordinary reprizas are	272	15	8
To be diducted out of the sayd	272	15	8
All yearelye charges to the highwayes, poore, heyward, and all taxes and assesments, which came the last yeare to about fourtye pounds.			

Jo. PYE.

Dorso.—Mr. John Pye's Particular and Petition.

XVII.

28 Aug. 1650.

To the Commissioners for Compounding for Delinquents' Estates.†

The Petition of Sir Edward Powell, knt. and bart.

Sheweth,

That about the 18 December, 1641, Richard Powell, of Forrest Hill, in com. Oxon, Esq. deceased, did assigne unto him all that tenement and one

* Composition Papers, First Series, vol. xlix. p. 523.

† Ibid. vol. l. p. 587.

hundred acres of land, meadow and pasture, in Whately, in the county of Oxon. aforesaid, held by lease from the Colledge of All Soules, to have and hold the same for the terme of one and twenty yeares from thence next ensueing, upon condition that if the said Richard Powell should repay the some of 300*l.* with interest at the end of six monthes, then the said assignement to be void, as appears by the same.

That your petitioner, for non-payment of the said mony, entred upon the premisses in January, 1646.

That the said Richard Powell, at the tyme of his death, being a delinquent, had not perfected his composition for the said lands and tenement.

Your petitioner desires that he may compound for the same, according to the late Act in that behalf made.

28 Aug. 1650.

EDW. POWELL.

Referred to Mr. Brereton.

XVIII.

28 Aug. 1650.

To the Hon^{ble} the Commissioners for Compositions.*

The humble Petition of Elisabeth Ashworth, administratrix
to Edward Ashworth, her late husband.

Sheweth,

That your petitioner's husband, in his lifetime, lent unto Richard Powell, of Forest Hill, in the county of Oxford, the summe of fower hundred pounds, for security wherof the sayd Powell made a lease of ninety-nine yeeres of the tythes of Whateley and three yard land there, bearing date the 10th of January, 7 Caroli: that in regard of the troubles your petitioner, whose right now the sayd debte is, hath not reseaved the interest of the money.

That she understands the sayd Powell being a delinquent and died not satisfying his composition.

That your petitioner, taking notice of the late acte of the 1st of August, 1650, concerning compositions for creditors, &c. desires to be admitted to

* Composition Papers, First Series, vol. iv. p. 185.

a composition, wherein she humbly submitts herself, and desires she may not in the meanetime be disturbed in what she doth enjoy.

And she shall pray.

28 Aug. 1650.

ELISABETH ASHWORTH.

Referred to Mr. Reading, A.S.

XIX.

DIE MERCURI, 27 NOVEMBRIS, 1650.

Painted Chamber, Westminster.*

By the Commissioners appointed for Releife upon Articles granted in Tyme of Warr.

Upon motion on the behalfe of Ann Powell, widdowe, relict of Richard Powell, of Forrest Hill, in the county of Oxon, Esq^r. praying that the determyneate Order of this Court, dated the 12th of June last, might be confirmed; and upon consideration had of the said Order, together with the grounds and reasons whereupon the same was made, the Court doe now order and require that the said Mathew Appletree mentioned therein do pay unto the said Mrs. Powell the some of nynety-one pounds eleaven shillings and tenn pence, upon or before Wednesday, the 4th day of December next cominge, so much appearing to the Court to bee due from the said Mathew Appletree for goods and housholdstufte of the said Richard Powell, sold and delivered unto him by Richard Appletree, John Webb, and John King, then sequestrators of the county of Oxon, the said Matthew Appletree having subscribed to the inventory and sale of the said goods, and having paid 20s. to the said sequestrators in earnest of the whole payment, which 20s. the court do now also order shall be paid by the said sequestrators unto Mrs. Powell upon demand, and in case the said Mathew Appletree shall refuse or delay to make payment of the said nynety-one pounds eleaven shillings tenn pence unto the said Mrs. Powell within the time lymited as aforesaid, the Court doe further order and require that the said some bee brought into court upon Wednesday, the 4th of December next cominge, by the said Mathew Appletree, and in default thereof the Court doe now declare that they will proceed against

* Composition Papers, First Series, vol. 1. p. 551.

the said Mathew Appletree according to the power and authority comitted to them by the Parliament.

Vera copia ext^a.

Tr. PAUNCFOTE, Registr.

Tr. PAUNCFOTE,

27 Feb. 1650-1.

I make oath this is a true copie.

T. PAUNCFOTE, R. M.

XX.

S^r Robert Pye * the elder, of Westm^r, knt. maketh oath that before the 30 of June, 1640, he redeemed a lease that was forfeited by Richard Powell of Forresthill, Esq. to one Mr. George Furseman, by payeing one thousand pounds to the sayd Furseman for the sayd Richard Powell, and alsoe he lent the sayd Richard Powell, before the time above mentioned, three hundred pounds more in money, both which sumes, together with one hundred pounds for consideration, amounted to the entire summe of one thousand and foure hundred pounds, for the securitye whereof the sayd Richard Powell did convey by his owne desyre unto the deponent lands in Forresthill aforesaid, mentioned in a deede dated 30^{mo} Junii, 1640, in such sort as in the sayd deed is expressed, which debt is still unpaid, and no act done, eyther by this deponent or any other, to his knowledge, to release or invalid the sayd deede.

ROBERT PYE.

Jur. coram Com.

3 Dec. 1650.

J. B.

XXI.

Richard Sherwyn † of the cittye of Westm^r, in the county of Middlesex, gent. maketh oath that hee was present at the sealeing and delivery of a deede indented, dated the thirtieth day of June, in the sixteenth yeare of the reigne of the late king Charles, made betweene Richard Powell, late of Forrest-hill, in the county of Oxon, Esq. of the one part, and S^r Robert [Pye] of Farrington Magna, in the county of Berks, knt. of the other part,

* Comp. Papers, First Series, vol. xlix. p. 527.

† Ibid. p. 529.

importing the granting and conveyeing unto the said S^r Robert Pye, by the said Richard Powell, the mannor or lordship of Forest-hill aforesaid, for the terme of thirty-one yeares; with a provisoe of the said deede to bee voide upon payment of the some of fiftene hundred pounds, at the time specified in the said deede, which deede was sealed on or neere about the date thereof.

RI. SHERWYN.

Jur. 13 Dec. 1650.

W. MOLINS.

Dorso,—M^r. Py, 25 Martii,* 1651. Fine 658*l*. 15*s*. 3*d*., rec^d 24 Jan. 1650-1. Fine reduced upon the casting up the allowance of the debt, 554*l*. 18*s*., April the 8th, 1651. S.M.

6 July, 1652, confirmed at 554*l*. 18*s*.

XXII.

Anne Powell * the widdow of Richard Powell, late of Forrest-hill, in the countye of Oxford, Esq. maketh oath, that Laurence Farre, servant to Sir Robert Pye the elder, of Westminster, knt. did in the month of May or beginning of June, 1646, in the behalfe and for the use of his sayd master S^r Robert Pye the elder, enter and take possession of the cheife mansion house of Forrest-hill, with the appurtenants (mortgaged to the sayd Sir Robert Pye by the sayd Richard Powell, by his deed dated June 30, 1640), before any sequestration layd upon that or any other part of the sayd Richard Powell's estate, which possession the sayd S^r Robert Pye or his assignes hath ever since continued.

ANNE POWELL.

Jurat coram Commissioner.

31^o December, 1650.

R.M.

XXIII.

1 JAN. 1650-1.

John Pye † maketh oath that over and above all receipts and summes of money payd eyther to his father Sir Robert Pye the elder, or to him or

* Composition Papers, First Series, vol. xlix. p. 524.

† Ibid. p. 525.

there assignes, eyther out of the rents and profitts of Forest-hill, or otherwise, to his best knowledge and remembrance, and according to his computation, there was due to him the 23d of August, 1650, from the executors, heyres, or assignes of Richard Powell, of Forest-hill, Esq. deceased, upon a mortgage of the said mannor of Forest-hill, made by the said Richard Powell to the above-mentioned S^r Rob^t Pye the elder, June the 30th, 1640, and by the said Sir Rob^t Pye assigned over to the deponent, the full and entire summe of one thousand twoe hundred thirtye and eight pounds, or thereabouts.

Jo. PYE.

Hee also deposeth, that where there is reserved by the lease, that the lessee is to finde the curate, hee deposeth that there is usually paid 20*l*. to the curate of Forrest-hill, and that there is 5*s*. issuing for quit rents of the premisses.

Jo. PYE.

Jur. coram Com. 1 January, 1650-1.

XXIV.

A Particular of the lands, late Richard Powell's of Forrest-hill, in the county of Oxford, now under extent, and for which John Milton, Esquire, desireth to compound.*

The said Richard Powell was seised in his demesne as of fee of the tythe corne of Whatley, and certaine cottages, then of the cleare yearlye value of £60 0 0 per annum.

The said Richard was seised alsoe in his demesne as of fee of three yards $\frac{1}{2}$ of land, arable and pasture, of the cleare yearlye value of £20 0 0 per annum.

Out of which he craveth to be allowed for the thirds which he paieth to Mrs. Anne Powell, the relict of the said Richard Powell, for her dower £26 13 4.

And alsoe craveth that his just debt of three hundred poundes, as he hath deposed, may be allowed upon his composition £300 0 0.

JOHN MILTON.

* Composition Papers, First Series, vol. xli. p. 929.

XXV.

"Uppon the Petition of John Milton * desiring to compound for extent upon the estate of the last above said Richard Powell. It is ordered that he be admitted to composition accordingly. And that it be referred ut supra."

XXVI.

27 FEB. 1650-1.

RICHARD POWELL.

A copy of the Inventory, with the prices of the goods as they were appraised the 16 of June, 1646.†

In a trunke of linen, as followeth.

1 paire of sheetes, 5 napkins, 6 yds. of broad tiffany, 3 paire of pillow beares, 1 hand towell, 1 hollan cupboard cloth, 1 remnant of new hollan	£0 16 0
---	---------

In the backside.

240 pieces of tymber, 200 loades of fire-wood, 4 carts, 1 wane, 2 old coaches, 1 mare colt, 3 sowes, 1 boare, 2 ewes, 3 parcellis of boards	156 12 2
In the wooll-house, hoppes at	2 0 0
In the common, 100 butts at	60 0 0
one bull	1 10 0

Mr. Eldridge hath in his hand as much tymber as he was to give Mr. Powell for it	100 0 0
--	---------

At Lusher's farme, the piece of corne in the great field at	42 0 0
---	--------

The broad meddow eaten up by the souldiers	} not praysed.
One greate ground eaten upp	

One ground called Pilfrance, at	10 0 0
---	--------

More, 1 piece of wheate	6 13 4
-----------------------------------	--------

Mr. Powell hath at Forrest Hill 16 yard land which was usually sett at 8 <i>l.</i> or 9 <i>l.</i> yeare, and the tith of all the field	} not praysed.
Mr. Powell hath at Wheatley 1 house and 3 yard land free land and 3 yard land and halfe upon lease	

£474 0 0

* Order Book, H. p. 92.

† Composition Papers, First Series, vol. 1. p. 548.

APPENDIX.

93

	£	s.	d.
Wee have in money	23	0	0
32 pieces of silver, 2 little silver spoones, 1 broken silver spooone, 1 clock bell, at	2	0	0
14 quarters of mastline at	14	0	0
5 quarters of malt	5	0	0
6 bushells of wheate	1	2	0

In the studdy or boyes chamber which should have followed next after the little chamber over the pantry.

1 bedstedd with greene curtaines and vallons laced, 1 feather bedd, 1 feather bolster, 1 paire of blanketts, 1 yellow coverlid, 1 old horseman's coate with silver buttons, 1 great chaire, 1 great chest, 2 court cupboards, one stand- ing presse with drawers	2	13	0
--	---	----	---

Sold unto Mr. Matthew Appletree all the goods in this inventory appraised, that is to say the household goods.

In the hall	1	4	0
In the great parlour	7	0	0
In the little parlour	3	0	0
In the kitchin	1	4	0
In the pastry	1	10	0
In the pantry	0	10	0
In the bakehouse	3	6	0
In the brewhouse	3	6	0
In the upper daryhouse	1	12	0
In the seller	1	15	0
In the stilling roome	1	1	0
In the cheese-presse house	0	12	6
In the matted chamber	4	16	0
In the chamber over the hall	2	18	0
In the chamber over the little parlour	3	15	0
In the two little chambers over the kitchin	1	0	0
In the servants' chamber	2	0	0
In the little chamber over the pantry	3	3	0

	£	s.	d.
In the studdy or boyes chamber	2	13	0
In Mrs. Powell's chamber	8	4	0
In Mrs. Powell's closett	2	9	6
In the roome next the closett	1	10	0
In the roome over the washhouse	7	9	0
In Mr. Powell's studdy	1	14	0
In the same roome more linen	0	16	0
Malt, mastlin, wheate, a clocke and bell	22	2	0
In the backside: 4 hogges, 2 ewes, 1 mare and fold, 3 par- cells of board, 240 pieces of tymber, 200 load or there- abouts of firewood, 1 wayne, 4 carts, 2 coaches	156	12	2
Wood lying in the common, 100 butts	60	0	0
In the wooll house, hoppers	2	0	0
A bull	1	10	0
	<hr/>		
	£310	12	2

Sold these goods, the 16 of June, 1646, by us whose names are under written, for the sume of three hundred thirty and five pounds, unto the abovesaid Mr. Appletree, and paid the same time to John King, in part of payment, the sume of twenty shillings, and the rest to bee paid at the delivery.

JOHN WEBB. RICHARD VIVERS. JOHN KING.

Witnesses [then follow the marks of witnesses who could not sign their names].

27 Feb. 1650-1.

Vera copia ext,

T. PAUNCEFOTE, Reg^r.

I make oath this is a true copie,

T. PAUNCEFOTE, R. M.

Side Note,—

In the first Cart.

1 Arras worke chayre.

1 Tapestry carpett.

6 Thrum chayres.

1 Wrought carpett.

6 Wrought stooles.

1 Carpett greene with fringe.

2 Old greene carpetts.

3 Window curtaines.

XXVII.

28 FEB. 1650-1.

Whereas * Richard Powell, of Forrest Hill, in the countie of Oxford, gent. and William Hearne, late cittizen and goldsmith of London, deceased, by their writing or recognizance of the nature of a statute-staple, beareing date the eleventh day of June, which was in the third yeare of the raigne of the late King Charles of England, &c. made and provided for the recovery of debts, and taken, acknowledged, and sealed, before Sir Nicholas Hide, Knight, then Lord Cheife Justice of the Court then called the King's Bench att Westminster, did acknowledge themselves to owe unto John Milton, then of the University of Cambridge, gentleman, sonne of John Milton, cittizen and scrivener of London, the somme of five hundred pounds of lawfull money of England, which said statute or recognizance is by a writing, beareing even date therewith, defeazanced for the payment of the somme of three hundred and twelve pounds of like money unto the said John Milton the sonne, his executors, administrators, or assignes, on the twelveth day of December then next ensuing, as by the said statute or recognizance and defeazance thereupon, whereunto relation being had more att large may appeare. Now I, John Milton, the sonne (being one and the same partie before mentioned for cognizee in the said statute or recognizance), doe make oath that (since the extending of the said statute) I have received att severall tymes in part of satisfaction of my said just and principall debt, with dammages for the same and my costs of suite, the somme of one hundred and fowerscore pounds or thereabouts, and that there is yett remayneing due and oweing unto mee of my said principall money, interest, and costs of suite, the somme of three hundred pounds or thereabouts; and I doe further make oath, that neither I the said John Milton, or any other for mee or by my direction, privity, or consent, have or hath released or otherwise discharged the said statute or recognizance; neither doe I know or conceive any reason or cause, either in law or equity, why I should not receive the said remainder of my said debt, dammages and costs of suite.

(Signed,) JOHN MILTON, Jur. coram Com^{ris} 28 Feb. 1650.

(Signed,) E. WINSLOW.

Indorsed, MILTON, JOHN, Esq. 4 Martii, 1650-1, Fine 130*l*.

* Composition Papers, First Series, vol. xli. p. 931. Todd, p. 86.

XXVIII.

4 MARCH, 1650-1.

According * to your order, the 23 of August, 1650, upon the Petition of Anne Powell, the relict of Richard Powell, esquire, I have examined the matter of the said Petition, and find

Richard Powell, of Forrest Hill, in the county of Oxford, Esquire, the 6 of August, 1646, petitioned to compound upon the Articles of Oxford; had his petition referred the 26 of November, and his fine set the 8th of December then next at twoe yeares value, for lands and tithes in part thereof paid.

The first of January, 1646, the said Richard Powell dyed, as is deposed by the petitioner his relict.

Afterwards the petitioner petitioned the Commissioners for Breache of Articles, to be restored to certain timber, woods, and other goods taken away by the Committee for Sequestrations in the county of Oxon, contrarie to the said articles.

The 12th of June, 1650. It appearing to the said Commissioners that the said goods and household stuffe, for which the petitioner desired satisfaction, were sold by some persons, acting under the authority of the said committee, after the confirmation of and contrarie unto the said articles, and it appearing also, by an inventorie produced unto the court, that the said goods (although of farre greater value) were soe sold for 335*l.* unto Mathewe Appletree, of London (whoe, together with the said sequestrators, subscribed the said inventorie and sale), and that there is remaining in the hands of the said Appletree, as purchaser of the said goods, the summe of 91*l.* 11*s.* 10*d.*; the said court upon the whole matter did adjudge, that such goods and chattells of the said Richard Powell's, as remained unsold or undisposed of by the said committee, or their agents, shal be forthwith delivered by the said committee, or now commissioners for sequestrations in the said county, unto the said Mrs. Powell, and the said late committee are to be answeareable to her for the rest of the said goods soe sold contrarie to the said articles, to the end the said Mrs. Powell may be the better enabled to pay the fine imposed upon her husband's estate.

The 27th of November, 1650, the said court ordered, that the said Mathew Appletree pay unto the said Mrs. Powell the said 91*l.* 11*s.* 10*d.*

* Composition Papers, First Series, vol. 1. p. 539.

upon or before wensday the 4th of December then next, and that the said sequestrators do pay unto her upon demand 20s. which the said Mathewe Appletree gave unto them in earnest, upon sale of the said goods; and in case the said Mathewe Appletree refuse or delay to pay the said 91*l.* 11*s.* 10*d.* as aforesaid, the court doth further order and require the said summe to be brought into court upon wensday the said 4th of December, by the said Appletree, and in default thereof the court will proceed against him according to the power and authority committed unto them by the Parliament, as by copies of the said petition and orders deposed by Tracy Pauncefort appeares.

And the petitioner, in her petition, saith that as yet she hath had noe benefit of the said orders, and that her husband's estate is extended by Mr. John Milton for a debt of 300*l.* (whose case I have particularly reported), and that the said estate is charged with a mortgage for 99 yeares unto Mr. Ashworth for 400*l.* debt, with interest, by deed dated the 10th of January, 1631, as she offreth to prove by the deedes remaining in the hands of the said Mr. Ashworth; but it is confessed the said Mr. Ashworth was never in possession: and the petitioner claimeth a third part of the premisses as her dower.

And prayes, in case your honors will have any fine for this estate, that the said charges may be considered, as alsoe the losse sustained by the said committee's wrongfully selling her husband's personall estate, the same being the greatest part of the estate for which the said fine was imposed. All which is submitted to judgement.

4 March, 1650-1.

PET. BRERETON.

XXIX.

Die Martis, 4 Martii, 1650-1.

Upon the report* of Mr. Brereton, in the case of John Milton, desireinge to compound upon the Act of 1 Aug. 1650, for certaine messuages, lands, and tythes in the said report mentioned, beinge late the lands and premisses of Richard Powell, late of Forresthill, in the county of Oxford, gent., deceased, and extended by the said John Milton upon a statute of five hundred pounds, acknowledged to him by the said Richard Powell and

* Commissioners for Compounding, Order Book K. p. 36.

Wm. Herne, cittizen and goldsmith of London, as by the said report of Mr. Brereton and particuler thereunto annexed appears (coppies whereof are hereunto annexed and attested by our registrar);

It is resolved, and soe ordered, That the petitioner be admitted to compound for the premisses at the fine of one hundred and thirty pounds now set, and that upon payment of one moiety of the said fine, within fourteene dayes, into the treasury att Goldsmiths' Hall, and produceing his acquittance for the same, the sequestration of the premisses shall then be suspended, and that he doe pay in the other moiety within six weeks after; and thereupon the sequestration shall be discharged, and the petitioner, his executors, administrators, and assigns shall have and enjoy the before-mentioned premisses soe compounded for, as well till the said fine of £130 as his owne just debt is fully satisfied according to the Act of 1 Augusti, 1650, aforesaid. Ex^d.

XXX.

4 MARCH, 1650-1. JOHN MILTON.

Ordered,* That John Milton doe pay into the Treasury, at Goldsmiths' Hall, as a fine imposed according to the late Act of Parliament of the first of August, 1650, touchinge extents, mortgages, &c. the sume of one hundred and thirty pounds, being for an estate belonging to Richard Powell, late of Forrest Hill, in the county of Oxford, gent. deceased, and extended by the said John Milton, the one moiety of the said fine within 14 dayes, and the remainder within 6 weekes after.

XXXI.

12 MARCH, 1650-1.

Whereas wee† ordered, the fowerth of this instant March, that John Milton should compound for certaine messuages, lands, and tythes lately belonging to Richard Powell, late of Forrest Hill, in the county of Oxford, gent. deceased, mentioned in the Report of Mr. Brereton to the said Order

* Order Book K. p. 37.

† Ibid. p. 47.

annexed, and that hee should pay as a fine for the same the sume of one hundred and thirty pounds, and that hee should pay in a moiety of the said fine within 14 dayes then next, and upon his producing of an acquittance of his payment of the said moiety the sequestration should be suspended, which said acquittance is now produced to us: It is therefore ordered, that the said sequestration be accordingly suspended, and that the said Mr. Milton or his assignes be permitted to receive the rents, yssues, and profits of the aforesaid lands and premisses accordingly, hee having given security for payment of the second moiety within the tyme lymitted.

XXXII.

25 MARCH, 1651.

Upon* the report of Mr. Readinge made in the case of John Pye, esq. desireinge the allowance of a mortgage made unto Sir Robt. Pye, his father, from Richard Powell, esq. a delinquent, deceased, of the mannor of Forrest Hill, with other lands and premisses in the said report mentioned, for fowerteene hundred pounds, principall money, which said mortgage is since assigned by the said Sir Robt. Pye unto the petitioner, as in and by the said report and particuler thereto annexed more fully appeareth (coppies whereof are hereunto annexed and attested by our registrar): It is ordered, that the petitioner be admitted to compound for the premisses att the fine of sixe hundred fiftie-eight pounds fiteene shillings and three pence now sett, and that upon payment of one moiety of the said fine within fowerteene dayes into the Treasury att Goldsmiths' Hall, and producing his acquittance for the same, the sequestration of the premisses shall then be suspended, and upon payment of the other moiety with in six weekes after the sequestration of the said premisses, shal be discharged; and the petitioner, his executors, administrators, and assignes, shall have and enjoy the before-mentioned premisses soe compounded for, as well till the said fine of 658*l.* 15*s.* 3*d.* as his owne just debt, with due interest, is fully satisfied, according to the Act of 1^{mo} Augusti last, 1650; and upon payment of the one moiety of the said fine a deduction for the debt due to the petitioner to be considered of. Exd.

* Commissioners for Compounding, Order Book K. p. 61.

XXXIII.

25 MARCH, 1651.

Ordered,* That John Pye, esq. doe pay into the Treasury att Goldsmiths Hall, as a fine imposed according to the late Act of Parliament of the 1st of August, 1650, touching extents, mortgages, &c. the sume of sixe hundred fiftie-eight pounds fiftene shillings and three pence, being for an estate belonging to Richard Powell, esq. deceased, a delinquent, and mortgaged to Sir Robert Pye, father of the said John Pye, and assigned by the said Sir Robert to the said John, the one moiety within fowerteene dayes, and the remainder within sixe weekes after.

XXXIV.

27 MARCH, 1651.

Whereas† wee ordered, 4 Martii, 1650-1, that John Milton should be admitted to compound, according to the Act of 1^{mo} Augusti last, for certaine messuages, lands, and tythes mentioned in the report of Mr. Brereton, and particuler thereunto annexed, extended by the said John Milton upon a statute of 500*l.* acknowledged unto him by Rich. Powell, late of Forrest Hill, in the county of Oxford, gent. deceased, and Wm. Herne, cittizen and goldsmith of London, and that hee should pay as a fine for the said premisses the sume of one hundred and thirty pounds then sett, and that upon payment of one moiety of the said fine within 14 dayes the sequestration of the premisses should be suspended, and upon payment of the other moiety within sixe weekes after, the sequestration of the said premisses should be discharged. Now, for that it appeares to us by two severall acquittances, under the hands of the treasurers att Goldsmiths' Hall, that the said John Milton hath paid in the full fine, it is therefore ordered, that the said John Milton, his executors, administrators, and assignes, shall have and enjoy the before-mentioned premisses soe compounded for, as well till the said fine of 130*l.* as his owne just debt, with due interest, is fully satisfied and paid according to the said Act of the 1st of August last, 1650, aforesaid, intituled An Act touchinge Extents, Mortgages, &c. all which the commissioners in the countrey, and all others whom it concernes, are to take notice of and see performed accordingly.

* Commissioners for Compounding, Order Book K. p. 62.

† Order Book K. f. 69 b.

XXXV. and XXXVI.

8 Apr. 1651.

A true* and just account of the debt due to John Pye, Esq. upon a mortgage of Forresthill, in the countye of Oxford, by Richard Powell, Esq. a delinquent, deceased.

Charge.

The principall money lent Richard Powell, Esq. by S ^r Robert Pye, on June 30th, 1640	£1,400	0	0
The interest due for the same, from thence to June, 1646 (when S ^r Robert Pye entred upon his securitie for non-payment, being 6 yeares, want one month)	650	16	8
The interest due from that time to the 8th of Aprill, 1651, being fowre yeares and 10 months and 1 weeke	533	13	4
	<hr/>		
	£2,584	10	0
In taxes, assesments, and quarterings, from the time of the entrye to the first of November, 1650	126	0	1
Charges at law to take off severall incumbrances	25	3	10
Payd the curate for 4 yeares, ended September the 29th, 1650, att 20 <i>l</i> . per annum	80	0	0
Payd cheyfe rent for 4 yeares, ended September the 29th, 1650	1	0	0
	<hr/>		
Summe total of the charge	£2,816	13	11

DISCHARGE.

Receyved for one yeare's interest, May the 28th, 1642	£110	0	0
Receyved in rents, from the time of the entrye to the 8th of Aprill, 1651, being 4 yeares and a halfe, att 293 <i>l</i> . 5 <i>s</i> . 8 <i>d</i> . per annum (taxes, &c. included)	1,318	13	0
Entred upon the croppe in 1646, which yelded profitf over and above the annuall rent	191	5	9
Receyved December the 2, 1650, for a fine for a lease of 21 yeares of a liveing that fell	150	0	0
	<hr/>		
Summe total of the discharge	£1,769	18	9

* Composition Papers, First Series, vol. xlix. p. 535.

Remaynes due and unpaid, this 8th of Aprill, 1651, 1,046*l.* 15*s.* 2*d.* over and above 329*l.* 7*s.* 6*d.* payd into Goldsmyths' hall on the 29th of March last for the moyetye of the fine sett March the 25th, 1651, which is not accounted above in the charge.

Jo. PYE.

John Pye maketh oath that the account above written, together with another more particular distribution of the rents hereunto annexed, is a true account of all moneys by him receyved out of the rents and profitts of the lands above mentioned, and that the summes in them or eyther of them (whereof he demands allowance) are truly and reallye disbursed.

Jo. PYE.

Sworne July the 4th, 1651, before the Commissioners for Compounding, &c.—A. S.

This accompt to be entred April the 8th, 1651.—S. M.

	£	s.	d.		£	s.	d.
Rec ^d . . .	110	0	0	Debt . . .	1,400	0	0
Rec ^d . . .	1,318	13	0	Interest . . .	1,181	0	0
Rec ^d . . .	150	0	0	Taxes . . .	126	0	0
Rec ^d . . .	191	0	0	Charges . . .	25	3	10
Interest . . .	420	18	0	Chefe rent . . .	1	0	0
	<hr/>				<hr/>		
	£2,190	11	0		£2,733	3	10
Dew . . .	622	12	10	Curatt . . .	80	0	0
	<hr/>				<hr/>		
	£2,813	3	10		£2,813	3	10

Dorso,—Ord. 4 Sept. 1651.

XXXVII.

19 APR. 1651.

To the Hono^{ble} Commissioners for Composic'ons, &c.*

The humble Petition of Anne Powell, widdow, the relicte of
Richard Powell, of Forrest Hill, deceased,

Sheweth,

That your petitioner brought a considerable portion to her said husband, which was worth to him 3,000*l.* yet, through the carelessnes of her freinds, and relying upon her husband's good will therein, hee haveing had many losses in his estate, by reason of the warrs and otherwise, your petitioner

* Composition Papers, First Series, vol. 1. p. 594.

had noe joynture made unto her, nor hath any thing at all left her but her thirds, which is due by lawe for the maintenance of herself and eight children; haveinge sustained 1,000*l.* in their personall estate losse by the committees in the county, contrary to the Articles of Oxon'.

Shee most humbly prayes your honors will please, being the fine is now agreed to bee paid by Mr. Milton for the said estate, that shee may continue the enjoyment of her thirds as formerly, which she humbly conceaves, had not the fine been paid as aforesaid, yet your honors would not have abridged your petitioner of her thirds in this case, for the maintenance of herself and poore children.

And she shall pray, &c.

ANNE POWELL.

The petitioner left to the law.

XXXVIII.

19 APR. 1651.

Upon readinge* the Petition of Ann Powell, widdow, the relict of Richard Powell, of Forrest Hill, deceased, touching her claime of the thirds of her said late husband's estate, in regard shee had no joynture settled upon her, although shee brought her said husband a considerable portion, worth to him 3,000*l.* it is ordered that the petitioner be left to the law for recovery of her thirds.

XXXIX.

By the Com^{rs} for Compoundinge, &c.†

3^o Junii, 1651.

In the case of Mr. John Pye it is alleadged his fine sett 25 Marcii last is miscast. It is ordered that it be referred to Mr. Auditor Sherwin to state the case as to the fine and interest, and to the miscastinge, if any be.

T. BAILY.

XL.

4 JUNE, 1651.

MR. AUDITOR SHERWYN.

Whereas‡ the Commissioners for Compounding have referred my account to you to be stated, and that the mistake did arise by putting the

* Commissioners for Compounding, Order Book K. p. 89.

† Composition Papers, First Series, vol. xlix. p. 533.

‡ Ibid. p. 537.

rents (taxes and other deductions included) in generall termes, I have here sent you there particular distributions as they were halfe yearelye receyved.

Nov. 1646.	Receyved in cleare rent	. . .	£134	14	4
	In taxes and quartrings	. . .	11	16	0
May 1647.	Rec ^d in cleare rent	. . .	126	10	7
	In taxes only	. . .	9	19	9
	Payd the curate for halfe a yeare .		10	0	0
Nov. 1647.	Rec ^d in cleare rent	. . .	123	13	6
	In taxes and assesements	. . .	12	11	10
	Paid the curate for halfe a yeare				
	£10, cheyfe rent 5s.	. . .	10	5	0
May 1648.	Rec ^d in cleare rent	. . .	124	6	0
	In taxes	. . .	12	4	4
	Paid the curate for halfe a yeare .		10	0	0
Nov. 1648.	Receyved in cleare rent	. . .	124	1	0
	In taxes	. . .	12	4	4
	Paid the curate £10, cheyfe rent				
	5s.		10	5	0
May 1649.	Rec ^d in cleare rent	. . .	124	6	0
	In taxes	. . .	12	4	4
	Payd the curate		10	0	0
Nov. 1649.	Receyved in cleare rent	. . .	117	18	10
	In taxes	. . .	18	6	6
	Paid the curate £10, cheyfe rent				
	5s.		10	5	0
May 1650.	Receyved in cleare rent	. . .	118	3	10
	In taxes	. . .	18	6	6
	Paid the curate		10	0	0
Nov. 1650.	Receyved in cleare rent	. . .	117	18	10
	In taxes	. . .	18	6	6
	Paid the curate £10, cheyfe rent				
	5s.		10	5	0
Summe total			£1,318	13	0

Westm^r. June 4, 1651.

Jo. PYE.

XLI.

JULY 4, 1651.

According to your Order* of the third of June last, 1651, whereby it was referred to mee to state the case of Mr. John Pye, as to the fine and interest (alleadged to be miscast), and the miscasting (if any bee), I have examined and doe finde as followeth:

Mr. Reading reporteth by his report remayning with your register, that there was oweing from Richard Powell, Esq. the 30th of June, 1640, the sume of 1,400*l.*, for payment whereof, with interest, the said Richard Powell mortgaged the mannor of Forrest Hill, &c. in the countie of Oxon, for a terme of yeares, which the said Richard Powell then had in the said mannor.

That for non-payment of 1,510*l.* mentioned in the deed of mortgage Sr Rob^t Pye entred upon the lands in May or June, 1646, and after conveyed them to his sonne, the accomptant, Mr. John Pye, who doth now accompt for the rents and profitts of the said lands to the 25th of March, 1651, at which time his fine was sett.

Upon the 8th of Aprill last the said Mr. Pye exhibited to you an accompt hereunto annexed, wherein he chargeth himselfe to have receyved (amongst other sumes therein and hereafter specified) in rents from the time of the entry, being fower yeares and a halfe at 293*l.* 0*s.* 8*d.* per annum, taxes, &c. included, 1,318*l.* 13*s.*

The said Mr. Pye conceyveing a mistake to arise from the generall expressing of that sume, and deducting interest for the same, as if it had beene receyved in cleare money and intirely or neere together, hath exhibited a more particular accompt in relation to the said sume hereunto annexed, specifieng at what times and in what manner the perticular sumes which make up that totall were receyved or allowed. Whereupon the state of the debt appears to mee to bee as followeth:

The lands of the said Richard Powell are—

* Composition Papers, First Series, vol. xlix. p. 531.

Out of this Accompt are defalked the moneyes claymed by the Accomptant upon his oath annexed to have beene by him allowed or disbursed, viz.—

In Taxes and Assessm ^{ts} , includeing the £42 0 4			
above-mentioned, and some quartering within		£	s. d.
the halfe yeare ended in November, 1646 . £126 0 1			
An allowance to a Curate, at £20 per annum		207	0 1
for 4 yeares £80 0 0			
Chiefe rent, at 5s. per annum, for 4 yeares . £1 0 0			
Which, with the sume brought to accompt as received,			
being as before		1,562	18 8

Makes up the whole sume wherewith hee is charged by his first generall accompt, beeing £1,769 18 9

I have alsoe perused the booke and papers concerning the composition of the said John Pye, whereby I doe finde the debt calculated to noe more then 622*l*. 12*s*. 10*d*., and the fine sett the 25th of March, 1651, at 658*l*. 15*s*. 3*d*. Upon the 8th of Aprill, 1651, the fine was reduced to 554*l*. 18*s*. by allowance of 103*l*. 17*s*. 8*d*. whereby I collect the originall fine to be sett at a sixth. Soe that if the debt bee admitted as it is now stated, and the fine of 658*l*. 15*s*. 3*d*. bee set at a sixth, then the state of the fine is as followeth, viz.—The said John Pye is—

Debtor.	£	s.	d.	Per Contra.	£	s.	d.
To the fine sett the 25th of				By the sixth parte of £997 2 <i>s</i> . to			
March, 1651, above-men-				be allowed in the composition	166	3	8
tioned 658 15 3				Rests to Ballance the fine which is			
				humbly submitted	492	11	7
					<u>£658</u>	<u>15</u>	<u>3</u>

July the 4th, 1651.

R^t. SHERWYN, Auditor.

XLIII.

22 OCTOBER, 1651.

Whereas * we ordered 25 Martii, 1651, that John Pye, Esq. should be admitted to compound for the mannor of Forrest Hill with other lands and premisses mentioned in the report of Mr. Reading and Particuler thereunto annexed mortgaged unto Sir Robert Pye his father from Rich. Powell, Esq. a delinquent, deceased, for 1,400*l.* principall money, afterwards assigned by the said Sir Robt. Pye unto the said John Pye, and that he should pay as a fine for the same the sume of 658*l.* 15*s.* 3*d.* then set, and that upon payment of one moiety of the said fine within 14 dayes into the treasury att Goldsmiths' Hall, and producing his acquittance for the same, the sequestration of the said premisses should then be suspended, and upon payment of the other moiety within 6 weeks after the sequestration of the said premisses should be discharged: And whereas upon reading the report of Mr. Auditor Sherwyn made in the case the 5th of Sept. 1651, we then ordered that the whole proportion of taxes mentioned in the said report should be charged upon the said John Pye and not upon the lands, and that the fine should be 576*l.* 12*s.* 3*d.* and soe continued: Now, it appearing to us by two severall acquittances under the hands of the treasurers att Goldsmiths' Hall that he hath paid in the full fine of 576*l.* 12*s.* 3*d.* it being soe reduced as aforesaid: It is therefore ordered that the said John Pye, his executors, administrators, and assigns, shall have and enjoy the before mentioned premises soe compounded for as well till the said fine of 576*l.* 12*s.* 3*d.* as his owne just debt with interest is fully satisfied and paid according to the Act of the first of Aug. 1650, entituled an Act touching Extents, Mortgages, &c. and the said John Pye is to accompt with our auditor upon oath from yeare to yeare for what he shall receive out of the said estate, all which the Commissioners for sequestration in the countrey and all others whom it concernes are to take notice of and see performed accordingly. Ex^d.

* Commissioners for Compounding, Order. Book L. p. 56.

XLIV.

ABOUT AUG. 1652.

To the Hon^{ble} the Commissioners for Reliefe upon Articles.*

The humble Petition of Anne Powell, widow, relict and administratrix of Richard Powell, late of Forrest Hill, in the county of Oxon. Esq. deceased,

Sheweth,

That your petitioner's said late husband was comprised in the Articles of Oxford, as appeares by the certificate of the late Lord Generall Fairfax already before this court in your petitioner's behalf. That within the time limited by the said Articles, your petitioner's said husband preferred his Petition at Goldsmiths' Hall, and was admitted to compound, according to the said Articles, for his estate reall and personall, as may appeare by the certificate of the Commissioners for Compounding, already likewise before this Hon^{ble} Court. That her said husband dyed seised of an estate in fee (lying in Wheatley, in the county of Oxon.) whereof your petitioner claymeth her dower; which, upon her said husband's death, was assigned to her by the heire of her said husband, and accordingly was enjoyed, for some tyme, by your petitioner. That John Milton, Esq. did extend the said lands in fee, by virtue of a statute to him acknowledged by your petitioner's said husband, before the late warres, but long after your petitioner's marriage to her said husband. The said John Milton by virtue of an Act of Parliament, 1^{mo} August, 1650, was required to bring in a Perticular of the lands so extended by him to the Commissioners for Compounding, and accordingly did pay the composition due for the said lands; and your petitioner offered also to compound for her dower, but could neither be admitted to compound for her said dower, nor obtayne an order from the said Commissioners to receive it without a composition; so that for nigh these two yeares shee hath bin, and still is, debarred of her dower, which is most justly due unto her. Your Petitioner humbly prayeth, that shee may bee forthwith restored to her dower, most wrongfully detained from her; that your honors will seriously consider this, and those other greate pressures (represented in a former Petition, now depending before you,) under which your petitioner (being a mother of seaven fatherlesse children, since one of them, Capt. William Powell, Capt.

* Composition Papers, First Series, vol. 1. 448. Todd, p. 91.

Lieutenant to Lieutenant Generall Monck, was some few dayes past slaine in Scotland in the service of the Parliament,) hath, for a long time, groaned, by the most injurious violation of her articles; and that you will speedily proceed to give her such reliefe in this and her other grievances by her articles and otherwise in justice shee makes suite to have.

And your petitioner shall ever pray, &c.

(Signed)

ANNE POWELL.

TRACY PAUNCEFOTE, Reg^r.

XLV.

To the Right Hon^{ble} the Com^{rs} for Reliefe upon Articles of Warre.*

The humble Petition of Anne Powell, widdow, relict, and administratrix, and also of Richard Powell, sonne and heire, of Richard Powell of Forrest Hill, in the county of Oxon. Esq. deceased,

Sheweth,

That your petitioner's cause did formerly depend before the late Com^{rs} for Articles, and it did appeare unto the said Com^{rs} (as the truth was and is) that the petitioner's late husband and father, Richard Powell of Forrest Hill, in the county of Oxon. Esq. deceased, was comprised in the Articles agreed upon for the surrender of the garrison of Oxford, June the 20th, 1646, as may also appeare by the annexed certificate of the late Lord General Fairfax. By the 11th of the said Articles, it is agreed, that all persons comprised in that capitulation (and not by name excepted by ordnance of Parliament from pardon, within which exception the said Richard Powell was not,) who have estates reall or personall under or lyable to sequestrations, shall at any tyme within 6 months after rendring the said garrison bee admitted to compound for their estates; which composition shall not exceed 2 yeares revenue for estates of inheritance, and for estates for lives, yeares, and other reall and personall estates shall not exceed the proportion aforesaid for inheritances, according to the value of them. And by the 21st of the said Articles of Oxford, it is agreed, that all persons comprized in the said Articles shall peaceably and quietly enjoy all their goods, debts, and moveables, allowed by the said Articles, during the space of 6 months after rendring of the garrison.

* Composition Papers, First Series, vol. 1. p. 525.

The aforesaid Richard Powell, on the 6th of Aug. 1646, being within the tyme limited by the said Articles, preferred his Petition at Goldsmiths' Hall, to compound for his said estate, both reall and personall, according to his Articles, as may appeare by certificates from the Commissioners for Compounding, and putt in his Particular, wherein his goods, household stuffe, and tymber were valued at 1,000*l*. The said goods, household stuffe, and tymber were sequestred by vertue of an order from the Committee of the county of Oxford, sitting at Woodstocke, dated June the 17th, 1646, where were present and of the said Committee, S^r William Cobb, knt. Mr. Thomas Appletree, Mr. Robert Barber (deceased), and Mr. Henry Gooding; and John Webb, Richard Vivers, John King, or any or either of them, were authorized to execute the said order; and the said sequestrators, John Webb, Richard Vivers, John King did inventory and possesse themselves of the said goods, household stuffe, and tymber, as may appeare by an inventory subscribed by them and one Thomas Coxe remayning with the registrar of this Court; and the said goods, household stuff, and tymber so inventoried were sold by the said subscribers to one Matthew Appletree, of London, for the sume of 335*l*. within few dayes after the granting of the said Articles. By an Ordinance of Parliament, dated 15th of July, 1646, the tymber and boards of the said Richard Powell (valued in his Particular at 400*l*. as appeares by certificate annexed from the Commissioners for Compounding,) were ordered to bee bestowed upon the inhabitants of the towne of Banbury, to bee employed for the repayre of the church and steeple, and rebuilding of the vicaridge-house and common gaole there, and that such of the said tymber and boards as shall remayne of the uses aforesaid shal bee disposed by the members of both houses which are of the Committee for Oxfordshire to such of the well-affected persons of the said towne for the rebuilding of theyre houses, as to the said members, or the major part of them, shall seeme meete. Part of the sayd tymber and wood was sold to Thomas Williams, of the city of Oxford, millener, and one William Willier, by one King, and Potter, authorised from the towne of Banbury, after the rate of 18*s*. the tonne; and the said Williams and Willier did pay for the sayd tymber and wood to the use of the towne of Banbury one hundred and ten pounds. The said goods, household stuff, and tymber so sequestred, sold, and disposed off, were carryed away by the said sequestrators and purchasers, and your

petitioners (the said Richard Powell dying before hee had finished his composition) were utterly disabled to finish it, by the aforesaid greate violation of theyre Articles.

Whereupon the said Anne Powell preferred her Petition to the late Commissioners for Articles; and, upon long deliberate debate had in the cause depending before the said Commissioners, betweene the said Anne Powell, plaintife, and the late standing Committee of the County of Oxon, defendants; and upon consideration had of the matter of complaint of your petitioner, together with the Articles made upon the surrender of the garrison of Oxford, wherein her said husband was included; it did appeare unto the said Commissioners that the goods and household stuffe for which the then Petitioner prayed satisfaction were sold and disposed of by some persons acting under the authority of the said committeé, after confirmation of and contrary unto the true intent and meaning of the said Articles, by which her husband ought to be restored to his reall and personall estate, under or lyable to sequestration, having entred his Petition to compound within the tyme limited by the said Articles. It appeared also, by an inventory produced in court, that the said goods (although of farre greater value) were so sold for 335*l.* unto one Matthew Appletree, of London, who, together with the sequestrators, subscribed to the said inventory and sale. And further it appeared, that there was remayning in his the said Matthew Appletree's hands, as purchaser of the goods, the sume of 91*l.* 11*s.* 10*d.* All which is expressed in an order of the said late Commissioners, dated June 12th, 1650, granted to the then Petitioner, whereunto shee could never yet procure any obedience.

The lands belonging to the said Richard Powell, lying in the county of Oxford, were mortgaged before the late unhappy warres. The freehold, lying in Wheatley, in the said county, to Mr. John Milton, who hath payed the composition for the same, as may appeare by the discharge of the Commissioners for compounding, dated 27th of March, 1650. The lease lands, lying in Forrest Hill, in the said county (being a lease for 31 yeares of the yearly value of 272*l.* 15*s.* 8*d.* over and above 20*l.* issuing out of it to a curate, and 5*s.* for chiefe rent), was mortgaged to Sir Robert Pye, and by him assigned to his second sonne Mr. John Pye, all which is certified in the report of Mr. John Reading, to the Commissioners for compounding, 1 Jan. 1650. The said Mr. John Pye did pay as a fyne

for the said lands, of the yearely value of 27*l.* 15*s.* 8*d.* the sume of 576*l.* 12*s.* 3*d.* as may appeare by the discharge of the Commissioners for compounding, dated 22nd of October, 1651, which fyne is much above the rates limited by the aforesaid 11th Article of Oxford, and not agreeable (as your Petitioners conceive) to an Act of this present Parliament, dated 1^o Augusti, 1650, concerning mortgages, extents, &c. wherein it is ordained that all such persons as have since the 20th of May, 1642, entred upon the estates of any delinquent by vertue of any extent, mortgage, &c. for which as yet no composition hath bin made, do pay into the treasury at Goldsmiths' Hall, such sume and sumes of money as the said delinquent should or ought to have payd for his composition, according to the respective rules and proportions prescribed and appointed by authority of Parliament, consideration being therein had to all such just debts as are or may bee legally charged upon the said estate.

Your Petitioners doe therefore humbly pray,

1^o. That the said Articles may be observed and kept unto them, and that they may have satisfaction and reparation for the wrongs and prejudice done unto them by the violation thereof; and

2nd. That such goods and chattells as are yet remayning in specie, in or about the house late of the said Richard Powell, or otherwise unsold or undisposed of, by the said late committee or their agents, may be forthwith delivered by the said committee, or now Commissioners for Sequestrations, in the said county, unto your Petitioners, to whom they doe belong; and

3^o. That the aforementioned Matthew Appletree may forthwith pay unto your Petitioners, or one of them, the aforesaid 91*l.* 11*s.* 10*d.* in part of satisfaction for the said goods. And

4^o. That all persons before mentioned, and all others therein concerned, may be answerable to your Petitioners respectively, in and concerning the premisses, and that your Petitioners may bee in the premisses relieved according to their Articles, and otherwise, as in justice they ought to bee.

5^o. That by your order to the Commissioners for compounding the fyne paid for the lease lands may be reduced according to the 11th Article of Oxford, and satisfaction given to your Petitioners for so much of the said fyne as shall appeare to bee above the said 11th Article, as to your honours shall seeme fitt; and

6^o. That the said freehold and lease lands, and the personall estate

of your Petitioners, may be discharged from sequestration, and your Petitioners otherwise relieved, as in justice they ought to bee,

And your Petitioners shall ever pray, &c.

This is a true coppie,

ANNE POWELL. RICHARD POWELL.

TRACY PAUNCEFOOTE, Reg^r.

XLVI.

WENDSDAY, THE 20TH OCTOBER, 1652.

Dutchy Court,* Westminster.

By the Com^{rs} appoynted for Releife upon Articles of Warr.

Upon reading the Petition of Anne Powell, widdow, the relict and administratrix, and of Richard Powell, the sonne and heire, of Richard Powell, late of Forrest Hill, in the county of Oxon, esq. deceased, it is ordered, That summons should be issued out requiring the persons complained of in the sayd Peticion, and such other persons as the Petitioners shall nominate in writeing to the register of this court, and insert as defendants in their Peticion, to appeare before them in person, or by some lawfully authorised for them, to make answeare unto the matter of complaint sett downe in the said Petition, a copy whereof, attested under the register's hand of this Court, is to be delivered, together with the sayd summons, that the sayd parties may know what is alleadged against them, and prepare their answeres in writeing to the same; and it is further ordered, that such of the parties soe to be summoned as aforesaid that inhabitt in or neere the citty of London shall make their appearance before this court upon Wendsday 27th of October next comeing, at 9 of the clock in the forenoone. And the other parties living (as is said) in Oxfordshire, within one weeke after notice given to him or them of this order. And it is further ordered, that the parties concerned doe then shew cause to this Court (if any be) why the orders made by the late Com^{rs} for Articles in the cause then depending before the said Commissioners have not byn duely performed according to the judgment and direction of the sayd late Court therein sett downe, whereupon the Court will proceed further as they thinke fitt.

TRACY PAUNCEFOOTE, Reg^r.

A true copy.—ANTHONY WILSON.

Anthony Wilson, gent., makes oath that this is a true copy of the order

* Composition Papers, First Series, vol. 1. p. 524.

granted by the Commissioners appointed for Relief upon Articles unto Ann Powell, widdow, and Richard Powell, her sonne, on Wednesday, the 20th of October instant.

Sworne the 20th of October, 1652. R. M.

ANTHONY WILSON.

XLVII.

WENDSDAY, THE 20TH OCTOB. 1652.

Dutchy Court, Westminster.

By vertue* of an order of the Comissioners appoynted for Releife upon Articles, bearing date therewith and hereunto annexed, you, whose names are subscribed, are required, by yourselves or some one lawfully authorised for you, to appeare before the sayd Comissioners at the dayes and tymes therein appoynted, there to give answeare in writeing unto the matter of complaint exhibited against you by Anne Powell, widdow, and Richard Powell, her sonne, a copy whereof you shall receive herewith attested.

TRACY PAUNCEFOOTE, Reg^r.

A true copy.

ANTHONY WILSON.

To the Commissioners of Haberdashers' Hall: Mr Mathew Appletree. Sr W^m Cobb. Mr W^m Draper. Mr Thomas Appletree. Mr Henry Gooding. John Webb. Richard Vivers. John King. Richard Appletree.

Anthony Wilson, gent. makes oath that this is a true copy of the order granted by the Commissioners appointed for Articles unto Anne Powell, widdow, and Richard Powell, her sonne, on Wednesday, the 20th of October instant.

Sworne the 26th of October, 1652.

ANTHONY WILSON.

XLVIII.

WEDNESDAY, 24TH NOVEMBER, 1652.

Exchequer Chamber,† Westminster.

By the Comissioners appointed for Releife upon Articles granted in time of Warre.

Upon entring into the hearing of the cause depending before this Court upon the Petition of Anne Powell, widdowe, and Richard Powell, sonn of

* Composition Papers, First Series, vol. 1. p. 522.

† Ibid. p. 511.

Richard Powell, esq. deceased, plaintiffs, and Mathew Appletree, def^t, and upon reading the defendant's answer to the same, it is ordered, by the consent of both parties, that a commission shall be issued unto such fitt persons as the said plaintiffs and defendant shall agree upon, or any two or more of them, authorising and empouring them, or any two of them, to take upon oath the deposition of such witnesses as shall be produced before them by either party touching the matters in variance betwixt the said parties; and it is further ordered that the speeding of the said commission shall be left to the care of the plaintiff, who shall give conveyent notice to the defendant of the time and place for the execution thereof, and also to the Commissioners for Compounding, that some appointed by them may attend (if they shall see thinke fitt) to examyne or cross-examyne witnesses on the behalfe of the Commonwealth, if there bee cause upon returne, whereof the Court will take the said businesse into further consideration.

TRACY PAUNCEFOTE, Reg^r.

XLIX.

WEDNESDAY, 29 DECEMBER, 1652.

Exchequer Chamber,* Westminster.

By the Com^{rs} appointed for reliefe upon articles granted in time of warr.

Upon reading the Petition of Anne Powell, widdow, relict and administratrix of Richard Powell, of Forrest Hill, in the county of Oxon, Esq. deceased, It is ordered, That a coppie thereof, attested by the registrar of this court, bee delivered to the Commissioners at Haberdashers' Hall, who are desired to state the case as the same remaines before them, and also to certify this court upon this day fortnight whether there remaine anything before them or their sub-commissioners in the country to evidence that the said Mrs. Powell hath lost or forfeited the benefit of those Articles, either by omission of what was on her part to bee performed, or having a hand in any hostility or new designe against the Parliament, with the per-

* First Series of Composition Papers, vol. 1. p. 446.

ticulars of the time, manner, and other circumstances of the same. Whereupon the court will take the said Petition into further consideration.

(Signed) TRACY PAUNCEFOTE, Reg^r.

Richard Powell, of Forrest Hill, in the county of Oxon, gent. maketh oath that hee rec^d this order of the Reg^r of the Court of Articles as the order of the said court.

Sworne before the Commissioners, the
6 of January, 1652-3.

RICHARD POWELL.

R. M.

Side Note.

An order to the Commissioners in the countrey to certify, and in the meane time the registrar and auditor to certify and Mr. Readinge to state the case for the Com^{rs} for Articles.

L.

6 JANUARY, 1652-3.

GENTLEMEN,*

Wee have lately received an order from the Commissioners for releife upon articles graunted in tyme of warr grounded upon the Petition of Ann Poywell, widow, relict and administratrix of Richard Powell, of Forresthill, in the county of Oxon, Esq. deceased, who claymes the benefit of the Articles agreed upon at the surrender of Oxford, wherein wee are desired to state the Petitioner's case as it stands before us, and to informe the said court whether there remains anything before us or you to evidence that the said Mrs. Powell hath lost or forfeited the benefit of those Articles either by omission of what was on her parte to be performed or having a hand in any hostility or new designe against the Parliament, with the particulars of the tyme, manner, and circumstances of the same; wee therefore direct and order that you forthwith (after diligent search made by you) certifie unto us all proceedings which have been before you or the late committee of your county touching the Petitioner, or her said late

* Commissioners for Compounding, Order Book S. p. 575.

husband, and give us the best information you can touching the severall particulars aforementioned, to the end the said Court of Articles may be fully informed in the truth of the case according to their desire, which is the intention and endeavour of

Your affectionate friends,

Ex^d.

E. W.	W. M.
A. S.	R. M.

To the Commissioners for Sequestrations
in the county of Oxford.

LI.

7 JAN. 1652-3.

These are * to certify all those it may concerne that upon search made in the bookes and papers of the late and present Commissioners for Compositions I find these severall proceedings in the case of Ann Powell, widdow of Richard Powell, of Forresthill, in the county of Oxon, Esq. (that is to say) the Petition of the said Richard Powell, presented in Aug. 1646, to compound, and the report of the subcommittee thereupon, a passe under the hand of the late Lord Generall Fairfax, a certificate sent from the late committee to the Commissioners for Releife upon Articles, dated the 14 of Dec. 1649, filed, &c. 248. A Petition of the said Ann Powell, presented the 23 of August, 1650, and order thereupon filed, H. 92, and a report drawne up by Mr. Brereton upon that order, and a particular of the personal estate of the said Rich^d Powell. A Petition presented by the said Ann Powell, 19 Apr. 1651, and an order thereupon. Part of a letter from Oxon, dated the first of June, 1650, filed N. 130. Coppies of which severall proceedings are hereunto annexed; and I find that S^r Robert Py and John his sonne have compounded for part of the said Richard Powell's estate upon the Act of 1st Aug. 1650, and paid in their fine; and that John Milton, upon the same Act, hath compounded and paid his fine for another part of his estate, which is certified for the information of Mr. Brereton of councell* for the Commonwealth, to whom it is referred to state the case.

* Commissioners for Compounding, Certificates, T. p. 155.

LII.

THURSDAY, THE 26TH OF MAY, 1653.

Starre Chamber, Westm^r.By the Com^{ers} appointed for Reliefe upon Articles of Warre.*

Upon entring into the hearing of the cause upon the Petition of Anne Powell, widdow, and Richard Powell, her sonne, against the late Committee of the county of Oxon, and Matthew Appletree, defendants, upon hearing of Mr. Rich on the behalfe of the said Petitioners, and of Mr. Carey, one of the said late Committee. This Court not conceiving that the said cause is ripe for their judgment, as well in regard that the certificate from the Commissioners at Haberdashers' Hall is not in some particular full and direct; as for that it appeares unto this Court that by their Order of the 24th of November last past upon reading the answer of the said Matthew Appletree, It was by consent ordered, That a commission should bee issued unto such persons as should bee agreed on for the examination of witnesses, the speeding whereof was left to the care of the plaintife, and notice to bee given to the Commissioners for Compounding of the execution thereof, that some appointed by them might attend and crosse-examine or examine on the behalfe of the Commonwealth, if they should thinke fitt, upon consideration whereof this Court, finding the said cause not ready for hearing and their intire judgment therein, doe leave the said Petitioners to such proceedings as they shall thinke best for the ripening of the said cause, where upon they may move this Court for the hearing and determining thereof; and in the meane tyme the said late Committee of Oxon, and such who attend the said cause on their behalfe, are discharged of their attendance on this Court untill further notice; and upon the motion of Mr. Milton on behalfe of the said Petitioners, praying that the answer and certificate of the Commissioners at Haberdashers' Hall may bee made more direct and particular, It is ordered, That the said petitioners, or councell on their behalfe, doe deliver unto the registrar of this Court in writing under his or their hands the severall particulars whereunto they desire the fuller answer or certificate of the said Commissioners, whereupon the same is to bee sent unto the said Commissioners sitting at Haber-

* Composition Papers, First Series, vol. 1. p. 509.

dashers' Hall, who are hereby desired to certify and give answer thereunto within seaven dayes after the receipt thereof.

The petitioners pray the certificate of the Commissioners for Compounding, touching the following particulars: For what part of the estate of Richard Powell, late of Forrest Hill, in the county of Oxon, Esq. deceased, Mr. John Pye, 2nd sonne to Sir Robert Pye, kn^t, did compound, and what interest the said Mr. Pye did clayme in the said lands and tenements, and what value the said Mr. Pye did sett upon the same in his particular exhibited on that behalfe to the said Commissioners for Compounding, and what fine the said Mr. Pye did pay upon the said composition. The certificate of the said Commissioners for Compounding is also desired in the like particulars for that part of the estate of the said Richard Powell for which Mr. John Milton did compound; and also what allowances were made of debts and charges upon the said lands in the respective compositions aforesaid.

T. PAUNCEFOTE, Reg^r.

LIII.

7 JUNII, 1653.

In compliance to an Order* from the Court of Articles of the 26th of May, 1653, in the case of Mrs. Ann Powell, whereby wee are directed to certifie unto severall particulers set downe att the bottome of the said Order touching the estate late of Richard Powell, esq. her late husband, deceased, wee doe hereby certifie, that Mr. John Pye, second sonne of Sir Robt. Pye, kn^t. and John Milton, esq. have compounded for parcell of the estate of the said Richard Powell according to the Act of 1 Aug. 1650, (viz.) the said John Pye for lands of the yearly value of £272 15s. being a lease for 31 yeares, and his clayme was by vertue of a mortgage thereof made unto the said Sir Robt. Pye, and since by him assigned unto the said John, upon which mortgage there was owing to him the sume of £1,238, for which estate (respect being had to his said debt and damages,) the fine was £576 12s. 3d. which he hath paid unto the Treasury att Goldsmiths' Hall; and the said Mr. Milton hath likewise compounded for another part of the said Mr. Powell's estate upon the said Act, which he

* Order Book, V. p. 89.

valued in his particuler att 80^{ty} pounds per annum in fee, out of which he was allowed the thirds, which he paid to Mrs. Powell for her dower, and his clayme was by vertue of an extent upon a statute of £500 acknowledged unto him by the said Richard Powell, for which (after allowance made for his debt and damages,) his fine was £130, which he hath paid into the Treasury at Goldsmiths' Hall, as by the severall papers annexed and attested by our Registrar more fully appeares.

S. M.	J. B.
A. S.	R. M.

LIV.

THURSDAY, 16 JUNE, 1653.

The Commissioners for Compounding * may bee pleased to take notice, that in pursuance of the annexed order of November 24th, 1652, Mr. Tracy Pauncefote and Mr. Thomas Butler are to bee examined on Tuesday the 21st of June instant, at nine of the clocke in the morning, in the Dutchy Chamber at Westm^r (touching a report made by the said Mr. Pauncefote and Mr. Butler to the late Com^{rs} for Articles in the case of Mrs. Anne Powell, widdow, administratrix of Richard Powell, late of Forrest Hill, in the county of Oxon, esq. deceased, concerning goods of the said Mr. Powell's sold and delivered to one Matthew Appletree, of London, by the sequestrators for the county of Oxon): This is signified, that some appointed by the said Com^{rs} for Compounding may then and there attend (if they shall so thinke fitt) to examyne or crosse-examyne on the behalfe of the Commonwealth.

RICHARD POWELL.

LV.

FRYDAY, THE 15 OF JULY, 1653.

Exchequer Chamber, Westminster.

By the Commissioners appoynted for Reliefe upon Articles of Warre.†

Whereas the cause upon the Petition of Anne Powell, widdow, relict and administratrix of Richard Powell, late of Forrest Hill, in the county

* Composition Papers, First Series, vol. l. f. 513.

† Ibid. p. 529.

of Oxford, esq^r, deceased, and Richard Powell, son and heire of the said Richard Powell, came this day to hearing only as to the reall estate of the said deceased, according to an order of Court of the sixth of July, the said Petition, among other things, setting forth that the said Richard Powell, deceased, was comprised in the Articles made and agreed on for the surrender of the garrison of Oxford, the 20th of June, 1646; that by the eleventh article it is agreed that all persons comprised in that capitulation, and not by name excepted (which the said Richard Powell was not), who have reall or personall estates under or lyable to sequestration, shall at any tyme within sixe months after rendring the said garrison bee admitted to compound for there estates, which composition shall not exceed two yeares' revenue for estates of inheritance, and for estates for lives or yeares not to exceed the proportion aforesaid; that the said Richard Powell preferred his Petition to compound the 6th of August, 1646, both for his estate reall and personall, and was admitted accordingly, and his fyne sett the 8th of December, 1646, at two yeares' value, according to the said Articles; but (as is deposed) the said Richard Powell dyed the first of January, 1646, no proceedings having bin made upon the said composition, from which hee was disabled in regard of the seizure of his personall estate contrary to the said Articles. The Petition further settts forth, that the lands belonging to the said Richard Powell, deceased, lying in the county of Oxford, were mortgaged before the late warres, viz. in the yeare 1640, the freehold land to Mr. John Milton, and the lease land, being a lease for 31 yeares at £272 15s. 8d. per annum, was mortgaged to Sir Robert Pye, and by him assigned to his second sonne, Mr. John Pye. That the said John Pye did pay as a fyne for the said lands £576 12s. 3d. to the Commissioners for Compounding, which fyne is alleadged to bee much above the Articles of Oxford. That by an Act of the first of August, 1650, concerning mortgages and extents, it is ordayned, that such persons as have entred since the 20th of May, 1642, upon the estate of any delinquent by virtue of any extent or mortgage for which as yet no composition hath bin paid, doe pay such sume of money as the delinquent ought to have paid for composition, consideration being therein had to all such just debts as are or may be legally charged upon the said estate; and the petitioners pray in generall to bee relieved according to the said Articles, with reparation for the damage by violation thereof, and in particular that the fyne paid for

the said lands may bee reduced according to the said eleventh Article of Oxford, and satisfaction for what is overpayed, and that the said freehold and lease lands may be forthwith discharged from sequestration ; to which Petition Mr. Attorney-General, on the behalfe of the Commonwealth, putt in an answere, setting forth, among other things, that hee knoweth not whither Richard Powell, deceased, in his life tyme, or the petitioners since his death, ought to have the benefitt of the Articles of Oxford, nor that the composition was prosecuted with effect ; and for the abatement of the fyne referres to the judgment of the Court as they shall direct. The Commissioners for Compounding doe also certify, that Mr. John Pye, second son of Sir Robert Pye, hath compounded for part of the estate of the said Richard Powell, deceased, upon the Act of the first of August, 1650, viz. for lands of the yearely value of £272 15s. 8d., being a lease for 31 yeares, and his clayme by virtue of a mortgage made to the said Sir Robert Pye, and by him assigned to his said sonne, upon which mortgage there was owing to him the sume of £1,238, for which (respect being had to his debt and damage) the fyne was £576 12s. 3d., which is payd into the Treasury at Goldsmiths' Hall; Upon which petition, answere, and certificate, the said cause being regularly to bee heard this day in the presence, and upon hearing Mr. Turner and *Mr. Milton*,* of counsell for the petitioners, and of Mr. John Hurst, of counsell for the Common-wealth, it appeared unto the Court, both by the certificate of the Lord Fairfax, the Commander-in-Chiefe of the Parliament's forces, and by other sufficient evidence, and was also admitted by the counsell for the State, that the said Richard Powell, deceased, was in the garrison of Oxford at the surrender thereof, and comprised within the said Articles, and ought to enjoy the full benefit thereof, and there being no prooffe before this Court, nor any suggestion thereof, that the said Richard Powell in his life tyme, or the petitioners since his death, have lost or forfeited the benefitt of the said Articles by any hostility or designe against the Parliament, or by any other act or default of theirs, and the Court taking into consideration the long attendance of the petitioners both in this and the former Court of Articles, together with the Acts constituting this Court, and the power and trust thereby committed to them for doing justice in cases of this and the like nature, and to take care that no violation of Articles bee permitted, the honour of the

* Christopher Milton, the brother of the poet.

Parliament and the fayth of their armies being concerned to see a due performance thereof, this Court are of opinion that the said fyne payd by Mr. John Pye to the Commissioners for Compounding, being five hundred seventy-six pounds twelve shillings three pence, ought to bee reduced according to the said Articles of Oxford, and that consideration bee had and abatement made by the Commissioners for Compounding according to the said Act of the first of August, 1650 ; and therefore this Court doe award, order, and adjudge, that the said fyne bee reduced accordingly, and that the overplus bee payd unto the said Mr. John Pye, the mortgagee, with such abatement as is usuall in like cases, and that the said lands mortgaged bee forthwith discharged as to the Commonwealth from seizure or sequestration ; and the Commissioners for Compounding, and all other persons acting by authority for or under them, are hereby ordered and required, upon notice hereof, to observe the same accordingly.

JO. BRADSHAWE.	EDW. COOKE.
EDW. WHALLEY.	OWEN ROWE.
JOHN HAYES.	WM. BOSSEVILLE.
ANTH. SAMWELL.	

Ex^d, T. PAUNCEFOTE, Reg^r.

30 Aug. 1653. Referred to Mr. Reading to state the reducement of the fyne according to Articles.

LVI.

30 AUG. 1653.

By the Commissioners for Compounding, &c.*

Upon reading an order of judgment given by the Court of Articles the 15th of July last in the case of Ann Powell, widow, relict and administratrix of Richard Powell, late of Forrest Hill, in the county of Oxford, esq. deceased (a copy whereof is hereunto annexed and attested by our Registrar), it is ordered that it be referred to M^r Reading to state the case touching the fine imposed on Mr. John Pye, upon the Act of the first of August, 1650, for the leasehold land of the said Richard Powell, and make report thereof to us, in order to the reduceing of the said fine

* Composition Papers, Second Series, vol. xxi. 391, and Order Book V. fol. 181.

according to Oxford Articles, within which Articles the said Court have adjudged him to be comprised.

(Signed) JOHN UPTON.
EDW. CARY.
RIC. MOORE.

LVII.

1 SEPT. 1653.

Accordinge to your[†] order of 30 August, 1653, upon the order of judgment of the Court of Articles of the 15th of July, 1653, in the case (heard 4^o May, 1654) of Anne Powell, widow, relict and administratrix of Richard Powell, late of Forrest Hill, in the county of Oxford, esq. deceased, wherby it is referred to me to state the case touching the fine imposed on Mr. John Pye, upon the Act of the first of August, 1650, for the leasehold land of the said Richard Powell, and report the same in order to the reducing of the said fine according to Oxford Articles, within which Articles the said court have adjudged him to be comprised. I find—That by the said judgment of the said Court of Articles of the 15th of July, 1653, the said Richard Powell is adjudged to be comprised within the Articles of Oxford, and that it appeared to them that the said Richard Powell petitioned at Goldsmiths' Hall, to compound upon the said Articles of Oxford the 6th of August, 1646, and had his fine set the 8th of December, 1646; and that he died the 1st of January, 1646, no proceedings being made upon the said composition; and that Mr. John Pye hath since compounded upon the Act of the 1st of August, 1650, upon a mortgage of lands of the yearly value of £272 15s. 8d. being a lease for 31 yeares, upon which mortgage there was owing to the said John Pye £1,238, which debt being allowed, the fine was set £576 12s. 3d. which is paid into the Treasury. Upon consideration whereof the said Court of Articles were of opinion, that the said fine paid by Mr. Pye ought to be reduced, according to the Articles of Oxford, and did award, order, and adjudge, that the said fine be reduced accordingly; and that the overplus be paid unto Mr. Pye, with such abatement as is usual in like cases.

Upon search of the papers here remayning, I finde that there was a fine set upon the said Richard Powell upon the said Articles of Oxford in

[†] Composition Papers, Second Series, vol. xxi. 389. Todd, p. 70.

December, 1646, but not for the estate mortgaged to Mr. Pye, but nothing therof paid.

That the said John Pye compounded the 25th of March, 1651, for a lease of the mannor and rectory of Forrest Hill for 31 yeares, commencing the 1st of Nov. 1641, which was mortgaged by the said Richard Powell in 1640, upon which mortgage there was then due to him £1,238, for which his fine was sett at a sixth, £576 12s. 3d. If this be reduced to a tenth, according to Oxford Articles, it will stand thus: a lease for 31 yeares from November, 1641, of lands of the yearly value of £292 15s. 8d. whence allowing for a debt of £1,238,—£123 16s. he craveth allowance of £20 per annum to the curate. The fine will remayne.

(Signed) JO. READINGE.

LVIII.

28 SEPT. 1653.

Ordered,* That the report of Mr. Reading in the case of Ann Powell, widdow, drawne up upon an order of the Commissioners for releife of persons upon Articles, in order to the reduceing a fine set upon John Pie, esq. according to Oxford Articles, be heard on this day seavenight.

LIX.

26 OCTOB. 1653.

J. MILTON AND ANNE POWELL.

Upon† motion of Mr Martyn of Councell in the behalfe of Mrs Anne Powell, widow, relict and administratrix of Richard Powell, late of Forrest hill, in the county of Oxford, Esq., deceased, and Richard Powell, sonne and heire of the said Richard Powell, moveing that according to judgement of the Court of Articles, given the 15th of July last, the lands and estate late of the said Richard Powell may be discharged from sequestration, upon reading the certificate made by us to the said Court of Articles the seaventh of June last, towching the compositions made with us for the said estate by John Pye and John Milton, Esquires, upon the Act of the first of August, 1650, and upon consideration had of the whole matter, Resolved,

* Order Book V. fol. 212.

† Commissioners for Compounding, Order Book G. fol. 571^b.

That the freehold lands formerly mortgaged to the said Mr Milton,⁷ and the leasehold lands mortgaged to Sir Robert Pye, and by him assigned to his second sonne, the said Mr John Pye, be forthwith absolutely discharged from sequestration, whereof the Commissioners for Sequestrations in the said county of Oxford are to take notice, and discharge the sequestration accordingly. This being first entred with our auditor.

E. C.	R. M.
R. W.	J. V.

LX.

4 MAY, 1654.

ANN POWELL.

Upon reading* the report of Mr Reading, made in the case of Ann Powell, widow, relict and administratrix of Rich. Powell, late of Forrest hill, in the county of Oxford, Esquire, deceased, touching the fine imposed on Mr John Pye upon the Act of the first of August, 1650, for the leasehold land of the said Rich^d Powell, which fine was set att about £576 12s. 3d., and the said M^{rs} Powell now prayes that the said fine may be reduced to a 10th, according to Oxon. Articles, the benefit whereof is allowed to the said Rich. Powell, by judgment of the Court of Articles, with particular directions to reduce the said fine accordingly. It is ordered, That in obedience to and observance of the judgment given by the said Court of Articles the 15th of July last, the said fine of £576 12s. 3d., set att a 6th, be and is hereby reduced to a 10th, which leaves the fine £384 8s. 2d., and soe there is paid by Mr Pye the sume of £192 4s. 1d. more then the said reduced fine, which said sume of £192 4s. 1d. the now Treasurers att Goldsmiths' hall are to repay to the said M^{rs} Powell, or to Mr Rich^d Powell her sonne.

Ex^d.

E. C.	R. M.
E. W.	R. W.

LXI.

1654, JULY 31.

“ Anne Powell† prayes repayment of £192 4s. 1d., part of £576 12s. 3d., a fine set on her husband and paid at Goldsmiths' Hall, but after reduced

* Commissioners for Estates under Sequestration, Order Book, Sm. fol. 1604^b.

† Abstracts of Petitions, Council of State, No. 56, art. 230.

by the Commissioners for Articles to £384 8s. 2*d.* as being within Oxford Articles, and so the said £192 4s. 1*d.* is an overplus, and ordered by the Commissioners of Articles to be repaid at Goldsmiths' Hall, but his H. order is also expected.

" 25 April, 1655, submitted. Dismist, 31 Jan. 1655-6."

LXII.

7 Aug. 1646.

To the Honorable Committee for Compositions with Delinquents,*
sittinge at Goldsmiths' Hall.

The humble Petition of Christopher Milton, of Reddinge, in
the county of Berkes, esq^r,

Sheweinge,

That he executed a commission of sequestrations under the great seale at Oxford for three countyes, and was at Exeter at the tyme of the surrender thereof late made unto the Parliamente; and humbly prayes that he may be admitted to compound, and to receive the benefitt of those Artickles.

And he shall pray, &c.

(Signed) CHRISTOPHER MILTON.

7 August, 1646.

Refer'd to the Sub-Committee.

LXIII.

A true Perticuler† of all the Estate, reall and personall, of me, Christopher Milton, of Reddinge, in the county of Berks, a councellor at lawe.

That I am seized in fee, to mee and my heires in possession, of and in a certaine messuage or tenemente scituate, standinge, and beinge within St. Martin's parish, Ludgate, called the signe of the Cross Keyes, and was of the yeerely value, before theis troubles, £40. Personall estate I have none but what hath bin seized and taken from mee, and converted to the use of the State.

This is a true perticuler of all my estate, reall and personall, for which

* Composition Papers, Second Series, vol. xiv. p. 196. (Todd, p. 258.)

† Ibid. p. 197.

I onely desire to compound to free it out of sequestration; and doe submitt unto, and undertake to satisfye and pay, such fine as by this Committee for Compositions with Delinquents shall be imposed and sett to pay for the same, in order to the freedome and dischargde of my person and estate.

(Signed) CHR. MILTON.

LXIV.

Christopher Milton,* of Reading, in the county of Berks, esq., and William Keeth, of Fleet Street, London, goldbeater, bound to the same treasurers, the 24th of September, 1646, in £80. With condition to pay £40 the 24 of December then next, together with [such other sum and sums of money as the House of Commons shall order to be paid as a further fine for Christopher Milton's delinquency.]

LXV.

Committee for Compounding,† 7 Sept. 1646.

Christopher Milton, of Reading, in com. Berks, esq. counsellor at law—

£80	.	.	.	at a tenth.
£200	.	.	.	at a third.

LXVI.

Christopher Milton,‡ of Reading, in the county of Berks, counsellor-at-law, was fined as followeth: For an estate in fee in possession £40 per annum, for which his fine was set at a $\frac{1}{3}$, £200, at $\frac{1}{10}$, £80. He was a commissioner to sequester estates. He came in upon the Articles of Exeter.

By Commissioners for Compounding, 7 Sept. 1646.

Ex^d, 15 Feb. 1657,

T. BAYLY, Reg.

* Composition Papers.

† Order Book, B. p. 228.

‡ Registrar's Certificates, T.

LXVII.

CHRISTOPHER MILTON.

The names * of the persons sequestered,	}	Christopher Milton, of Redding,
and place where they live	}	in the county of Berks, esq.
The names of the securities, and place	}	Wm. Keech, of Fleet Streete,
of their abode	}	London, goldbeater.
The penalties of their bonds	.	£80 0 0.
The date thereof	.	24 Sept. 1646.
Some due and payable	.	£40 0 0.
Time when	.	24 Dec. 1646.

LXVIII.

CHR. MILTON.

Honorable Gent.,

Whereas wee lately received an order from you to sequester the estates of the persons whose names were mentioned to be therewith returned to us, being such as had neglected to paye in the latter moyeties of their fines imposed for their delinquencies; and having received a paper wherein the name of Christopher Milton, of Reading (and noe other), is set downe, wee humbly certifie that (as wee are credibly informed,) the said Christopher Milton hath not lived in Reading within eight yeares or thereabouts last past, and hath noe estate in this towne or countie that wee can heare of, nor elsewhere, unlesse in the countie of Suffolke, where wee heare he liveth. Hereof wee thought fitt to give you an account,

Remaynning your honors humble servants,

S. BELLINGHAM.

GEORGE LAMBOLL.

HENRY SHARPE.

Note subjoined.—He hath compounded onely for an estate in London.

A Letter to be written to the Commissioners in Suffolk to enquire if he have any estate there.

Answered.

Marginal Note.—Qu. Mr. Milton's particuler upon which he compounded?

* Composition Papers, First Series, vol. xxii. p. 653.

LXIX.

Right ho^{ble},*

Yt maye please you, after my arivall att Callis, I have made inquirie, after such informations as your Lo. gave me in charge, and as the shortnes of the tyme would give me leave, and even now heere, beinge *à passage* to depart, I am tould that the Marquise Spinola is 2 dayes past come to Dunkerke in person, and as I heere to give order for the goeing out of such shippes of warre as are readye uppon the coast of Flanders; and also (as ys sayd) to make a reformation of the Admiraltye of Berghen St Winox, yt beeinge intended per the cuntries of Flanders and Brabant to ereckt a new Admiraltye, to consist of 60 sayle of shippes, which are to make a trade from the ports of Flanders into Spaine, wth the manufacturs of that cuntrye, and from thence back againe wth Spanishe comodities into Flanders; to the effectinge whereof Mons^r Bouscott,† sometymes imbassadeur in England, hath beene wth others deputed to Gant, and other cheefe townes of Flanders, to perswade the people to underwright for that busines, which is donne bye manye for a great some alreadye; and the better to perswade the people to yt, I am tould the Kinge of Spaine hath prohibited the bringinge into Spaine anye manufacturs made in Flanders or in the Low Cuntries, thoughte under his obedience, bye or in anye shippes or vessels of France, w^{ch} maye hinder the French navigation that waye, but of this I can saye litle butt what I heere bye report of others, butt wthin few dayes I purpose to goe into Flanders myself, I haveinge procured a passport from the Infanta, and beeinge there shall informe myself more perticulerlye of that and others which maye bee worth your Lo. knowledge. I am tould that uppon fridaye last a man of warr of Dunkerke w^{ch} hath beene 18 monthes in Spaine was chased per some Holland men of warr and forced ashore betweene Grevelinge and Dunkerke, and seeing the Hollanders did man out there boats they left the shipp and a match burninge, w^{ch} when the Hollanders were a while abourd tooke fier of the powder and blew them all upp. In the shipp is sayd to have beene much monye sent out of Spaine, w^{ch} is all saved, and the ordenance; this is heere reputed to bee trew.

Yt is sayd a new gouverneur of Callis doth promise the Flemings heere

* French Correspondence, 1626, Oct. 17, S. P. O.

† M. de Buisseau, Embassador in England Jan. 1611 to Jan. 1615. A series of his letters is in the Bibliothèque du Roi, Fonds de S. Germain.

residinge to make a new arest uppon all Englishe goods in this towne, butt bye reason of the restraynt in England of Englishe shippes to come for France hee doth forbear, heere beeinge att present a small quantitie of Englishe goods, yet wee heere there is a new arest made att Roan uppon Engl. goods. The tymes bee verye dangerous for us w^{ch} live heere; yf yt might bee wthout prejudice, I would intreat your Lo. I might know how wee had to governe ourselves.

I am tould the shippes w^{ch} weere bought in Holland bye the French are stayd there; some will saye they are underhand bought bye the French butt to serve the Spagniard.

I am now in hast, the passage readye to depart; I must crave pardon of your Lo. and when anye occasion doth offer worth your Lordship's notise I will nott fayle to advise; in the meane tyme I will ever remayne

Your Lo. humble servant to command,

DANIEL SKYNNER

Callis, le 27 Octobre, 1626,
novo [stilo].

Addressed, A Mons^r

Monsieur Cooke, Chevalier,
princepall Secretaire de Stat de sa Majesté
de la Grand Brittagne, Loudres.

LXX.

To the right hon^{ble} * the Earl of Arundell, Lord High Marshall of England, and other the Lords of his Majesties most honorable Privie Councill.

The humble Petition of John Milton, gent.

In all humblè manner,

Sheweth,—That he heretofore beinge committed by your honor and some others of his Majesties right hon^{ble} Privie Councill to the chardge of Robert Smith, one of his highnes messengers, in ordinary, for his freer enlardgment and accesse to your honors without interruption of serjeants or other officers of that qualitie; and that notwithstandinge your Lordship's said warrante, shewed by the messenger aswell to the officer Thomas Mosse, a yeoman, as to his adversary, Anthony Gifford, the same

* State Paper Office, Dom. Car. I. 1628, vol. cxxiv. No. 36.

was helde by them both in utter contempt, and your petitioner deteyned in prison about 3 weekes, to the prejudice of his health and life, besides extraordinary costs and chardges thereabouts expended. In tender consideration whereof it pleased your honor (the greevance and contempt beinge publicquely opened at the right honorable board) to direct a warrante with assistance of some others of the right hon^{ble} Lords for the apprehendinge of the said Gifford, whereof he beinge privately advertised by the said Mosse (who was left out of the warrante) fledd up and downe, and hath ever since lurked in the county of Devon, and given order to one Mr. Denny, an attorney in the King's Bench, in his absence to prosecute your said petitioner, to his greate chardge in lawe, and by the helpe and practise of the said Mosse overtakinge him with a judgment of £20 and upwards, hath againe arrested him into the Compter by the said Mosse, and both of them have layde heavie actions uppon your poore suppliant to the value of £200, the matter in difference beinge only of due clayme but 5s., and that uppon a supposed breach of a covenante about the busines dependinge, and dissolved by your Lordship and the rest of the Commissioners appoynted for that purpose, and he also by the whole Parliament made uncapable of performinge the said covenante.

The premisses considered, as also leaving to your Lordship's further consideration that, notwithstandinge both your former warrantes were shewed now againe unto the said Mosse and his assistant, before and at his cominge into prison, your humble suppliant hath beene deteyned these 13 weekes, to his utter ruinatinge and undooinge of him, his wife, and children; And likewise that your suppliant, havinge propounded two or three severall businesses of greate emolument and yearely revenue to arrise thereby to his Majesty's coffers, and the weale publike under his chardge (as he is ready really to make evidence and demonstration of); and lastly for that he hath offered to his adversary such reasonable composition both of mony and security as by any indifferent men maye be adjudged fitt for him to make good; your Lordship would be pleased, out of your speciall favour, with the respective assistance of the rest of the right hon^{ble} Lords, whose hands were annexed to the former warrants, to take such speedy order for the release of your poore suppliant, out of this greate thraldome and oppression (under which, through extraordinary dayly increasinge chardge, he and his are now ready to perish), as to your

Lordship's clemency and wisdom, in the like case expressed, shal be fownd most fittinge.

And accordinge to his bounden duty he shall ever praye unfeynedly, with all his, for the encrease of your honor in all health and happynes.

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